

THE LAND USE
HANDBOOK
Section 3

Maine Land Use
Regulation
Commission

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Maine Dept. of Conservation

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DEPARTMENT OF CONSERVATION

LAND USE REGULATION COMMISSION

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November 1978

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Maine Land Use Regulation Commission



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Introduction

Section 3 of the Land Use Handbook describes the Maine Land Use Regulation Commission (L.U.R.C.). The agency is responsible for planning, zoning and regulating land use in the State's "unorganized" areas, an area of about 10.5 million acres.

The purpose of this section is to explain L.U.R.C.'s role as a regulatory agency and to describe the **Land Use Districts and Standards** that L.U.R.C. uses to achieve wise use of land.

The Land Use Districts are zones, created by L.U.R.C., with particular physical characteristics. The **district regulations** set limits as to **what kind of development** can occur. The **standards** state **how development is to be conducted** in different situations.

Altogether this section describes how L.U.R.C. works, provides the reader with an overview of why regulation is beneficial to all land owners, and tells how those regulations affect individual land use.

The Maine Land Use Regulation Commission

Why was L.U.R.C. established?

The Maine Land Use Regulation Commission (L.U.R.C.) was created by the Maine Legislature in 1969. The purpose of the Commission is to plan for the wise use of the land in the plantations, unorganized townships, and coastal islands of the State. The Commission's purposes are to protect the public health, safety, and welfare, to ensure an ecological balance, and to encourage the well-planned, multiple use of the natural resources of the jurisdiction.

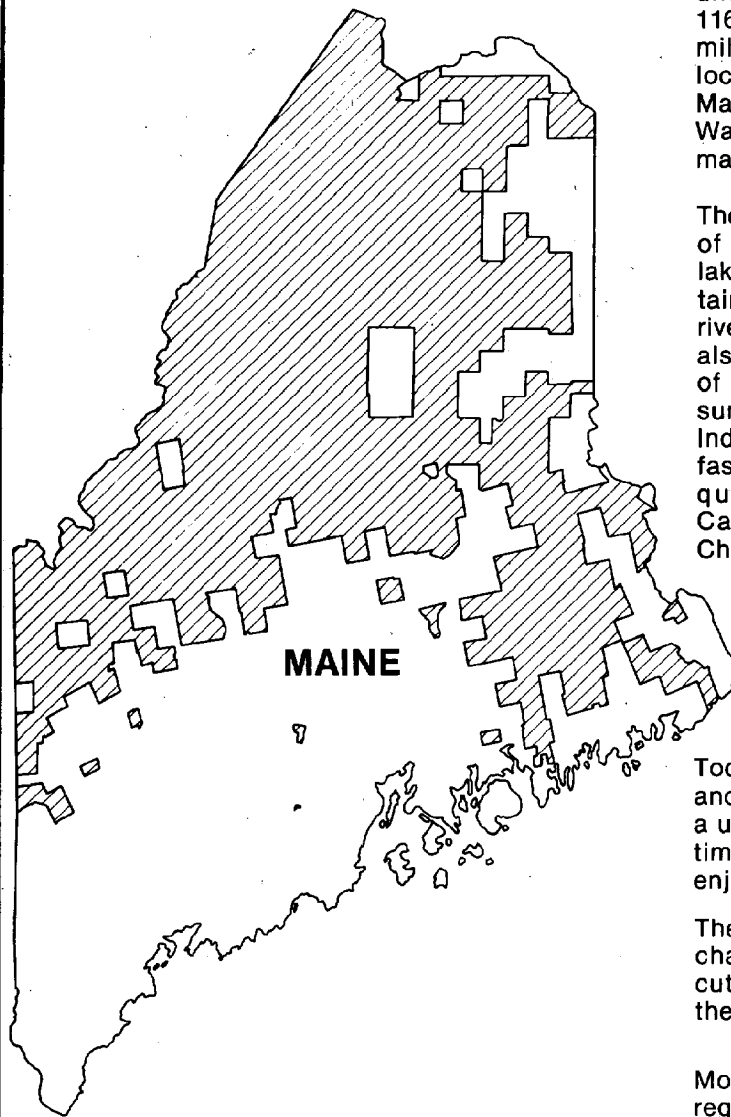



What is the Land Use Regulation Commission?

The Land Use Regulation Commission is composed of seven members of the general public, appointed by the Governor. Four of the members must be knowledgeable in one of the following fields: commerce and industry; fisheries and wildlife; forestry; and conservation. The functions of the Commission are carried out by a director and staff. The staff prepares plans and zoning maps, undertakes research, grants or denies permits, and enforces the Commission's regulations.

Please Note: This section is intended for general information. It is not intended for legal reference.

What areas are subject to L.U.R.C.'s regulations?



 Areas in Maine in the Land Use Regulation Commission's jurisdiction.

L.U.R.C.'s regulations apply to 407 unorganized townships, 56 plantations, and 116 coastal islands in Maine, a total of 10.5 million acres of land. These areas are located mostly in northern and western Maine but include a few townships areas in Washington and Hancock Counties. (See map below.)

The jurisdiction is a quietly spectacular area of high mountains, vast forests, placid, cool lakes, and swift streams and rivers. It contains the headwaters of the State's major rivers and abounds with fish and wildlife. It is also a land contrast — of woods and water, of cold, frozen, white winters and brief, hot summers. It was once the hunting ground of Indians and many of its features bear their fascinating names — Passadumkeag, Chem-quasabamticook, Nesowadnehunk, Caucomgomac, Mooselookmeguntic, Chesuncook, Seboomook.

Today canoeists, hikers, mountain climbers, and campers view the unorganized areas as a unique domain where they can go back in time to enjoy a natural world not unlike that enjoyed by generations before them.

The twentieth century has, nonetheless, changed some of this area. Timber has been cut and removed three and four times over the same area since logging began.

Modern state and county roads cover many regions and human habitation has followed these routes. Some of the more accessible lakes have been ringed with camps and seasonal homes and those who rely on the woods and the sparse agricultural lands for a livelihood have settled along the more important routes. Today about 12,000 people live in the jurisdiction.

How does L.U.R.C. help assure wise land use?

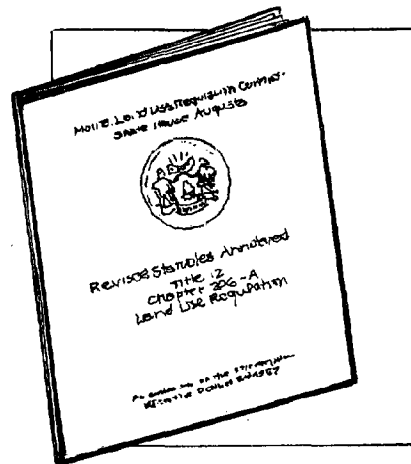
L.U.R.C. regulates land use by planning, zoning and issuing permits

Three documents guide the Commission in these functions. They are:

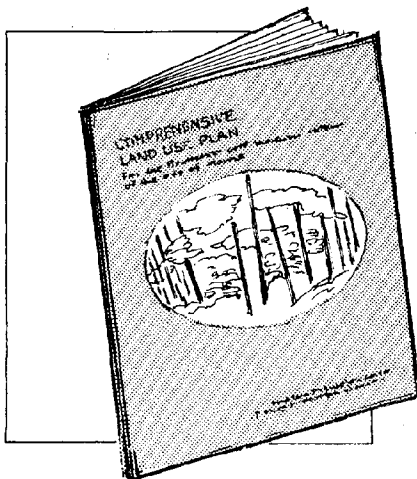
1. The Land Use Regulation Law;
2. The Comprehensive Land Use Plan; and
3. The Land Use Districts and Standards.

The Land Use Regulation Law

The Land Use Regulation Law is the legislation that established L.U.R.C. The Law describes the Commission's purpose, powers and duties. The Law requires that all land areas be zoned as "Protection," "Management," or "Development" Districts, states that a comprehensive plan and Land Use Standards for the L.U.R.C. jurisdiction must be adopted, and outlines how application for land use permits are to be processed.



The Comprehensive Land Use Plan (1976)



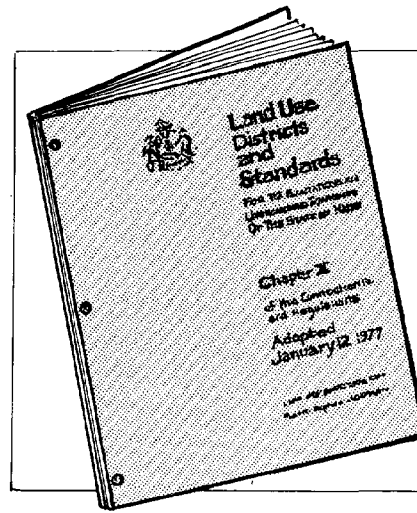
The Comprehensive Plan establishes the major policies of the Commission, and recommends Land Use Districts and Subdistricts. The Land Use Districts are: "Protection" Districts—areas where development could harm natural, historic, or recreational resources; "Management" Districts—areas which are used or could be used, for commercial forest product or agricultural uses; and "Development" Districts—areas where residential, commercial, recreational or industrial uses are best located. These Districts are described on pages 12 through 31.

The Land Use Districts and Standards

The law and the Comprehensive Land Use Plan establish and describe the Land Use Districts and Subdistricts.

L.U.R.C.'s **Land Use Districts and Standards** describe each Subdistrict, specify which land uses are allowed in the different Subdistricts, and state what Standards apply to the different land uses.

Together with L.U.R.C.'s zoning maps, the Land Use Districts and Standards explain what regulations apply to any land parcel in L.U.R.C.'s jurisdiction.



L.U.R.C.'s major policies

L.U.R.C.'s policies protect natural resources

The Land Use Regulation Commission is guided by the following major policies; they are described in detail in the Comprehensive Land Use Plan.

The major policy is to: **Protect the natural resources by prohibiting those uses that will cause undue degradation to those resources and that are not suitable in terms of social, economic, and cultural impact.**

Additional policies are:

1. Conserve the natural resources for timber production and outdoor recreation
2. Support the management of all the various resources
3. Maintain the natural character of certain large areas to protect natural values and primitive recreation opportunities
4. Establish suitable patterns of development
5. Establish reasonable limits to growth



D.D. TYLER

L.U.R.C. publications and information

The Land Use Regulation Law, the Comprehensive Land Use Plan, and the Land Use Districts and Standards are available from L.U.R.C. for your information and use. A complete listing of additional publications available from L.U.R.C. can be found on page 46. Single copies of all L.U.R.C. publications are free. There is a charge for additional

copies. For a copy (or copies) of these publications write or call:

Maine Land Use Regulation Commission
State House
Augusta, Maine 04333
Phone (207) 289-2631

How L.U.R.C. affects you

Most development requires a permit

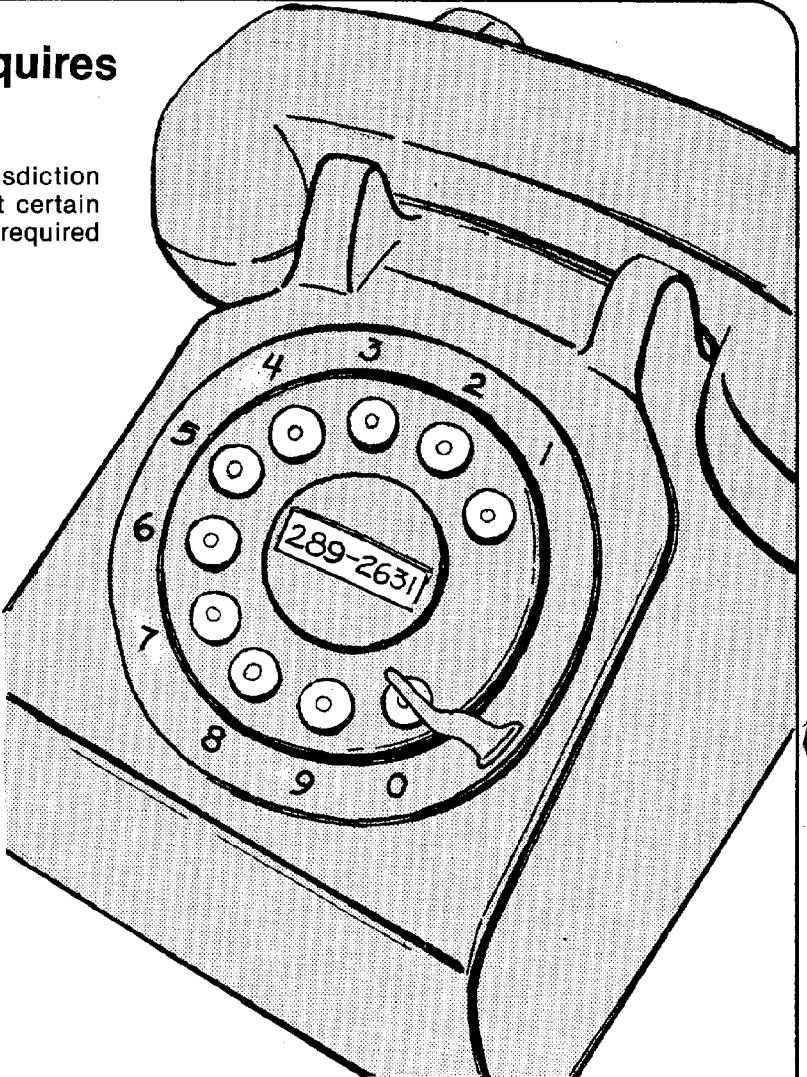
Most development in L.U.R.C.'s jurisdiction requires a permit and/or must meet certain standards. For example, a permit is required for:

- building any structure, including the placing of mobile homes.
- subdividing land. "Sub-division" means dividing a parcel of land into 3 or more lots of less than 40 acres each within a five-year period. (see page 17.)
- developing land for camps, major roads, ski facilities, commercial gravel pits, etc.
- farming, logging and road building in certain areas, such as in high mountain areas or flood prone areas.



When a permit is not required you may have to meet certain performance standards. Before you undertake any development, write or call the Land Use Regulation Commission staff. They can tell you what regula-

tions or standards apply to your situation and if a permit is required. See also pages 32 and 33, "How to find out what regulations apply to your land."



Ask for L.U.R.C. staff for help



If you plan to build, subdivide, develop, excavate, fill, grade, or cut trees on land in the L.U.R.C. jurisdiction, check with the L.U.R.C. staff before you start work. The staff can tell you what regulations apply to your situation, and will provide you with the forms and information that will be needed to apply for any required permit. The telephone numbers and addresses are:

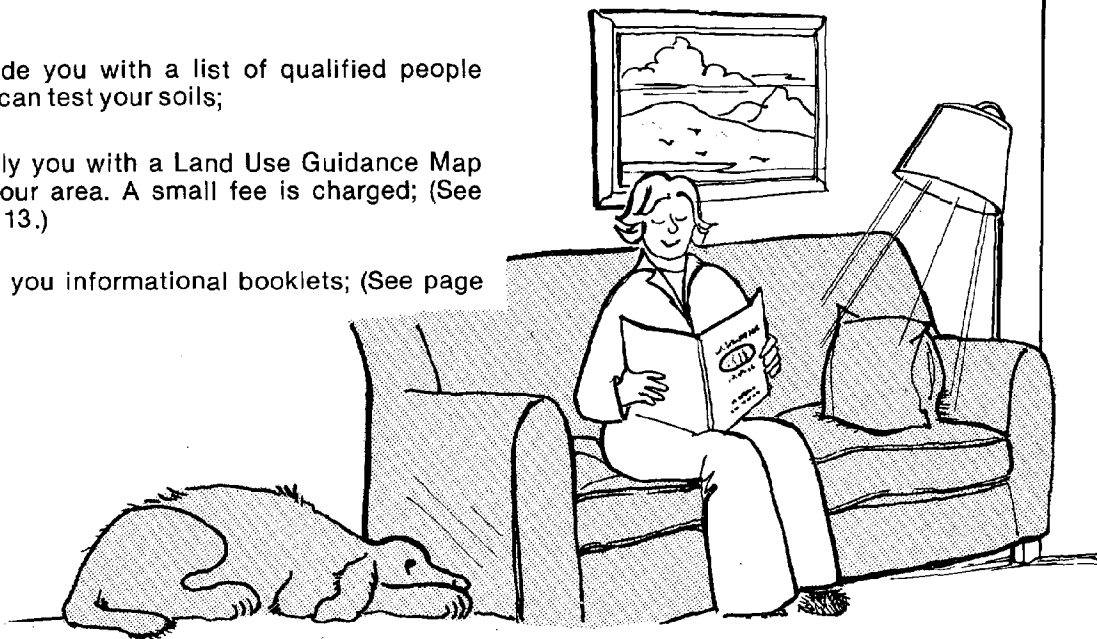
Main Office:
L.U.R.C.
State House
Augusta, Maine 04333
Phone: (207) 289-2631

Presque Isle Office:
L.U.R.C.
P.O. Box 1371
Presque Isle, Maine 04769
Phone: (207) 764-3761

Services the staff can provide for you

The L.U.R.C. staff can:

- assist you in filling out a permit application;
- provide you with a list of qualified people who can test your soils;
- supply you with a Land Use Guidance Map for your area. A small fee is charged; (See page 13.)
- send you informational booklets; (See page 46.)



Write or call L.U.R.C. if you have any questions. It may save you time and money.

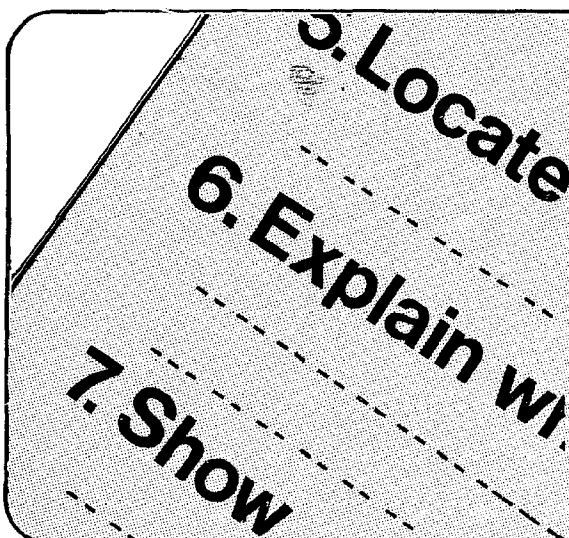
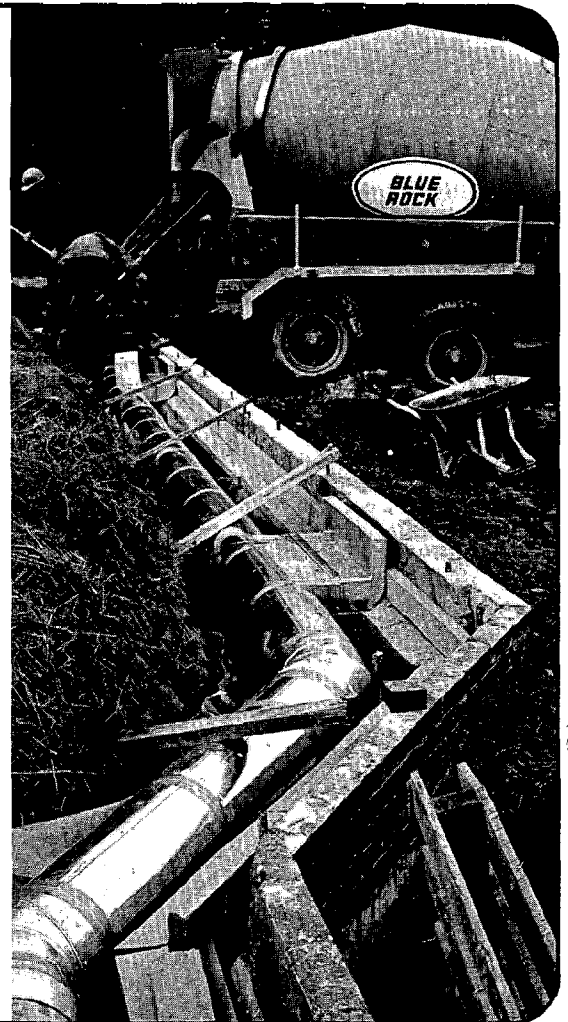
How to apply for a permit

The permit procedure

L.U.R.C. requires that you obtain a permit before undertaking most development activities.

L.U.R.C. issues the following types of permits:

- Building Permits for houses, cabins and trailers; (See below.)
- Subdivision Permits for land subdivisions; (See page 17.)
- Development Permits for other types of development;
- Forestry Operations permits for operations in certain areas;
- Utility Line Permits;
- Road Permits; and
- Bridge Permits.

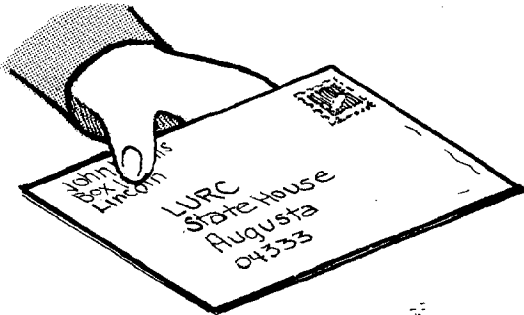


The Building Permit application

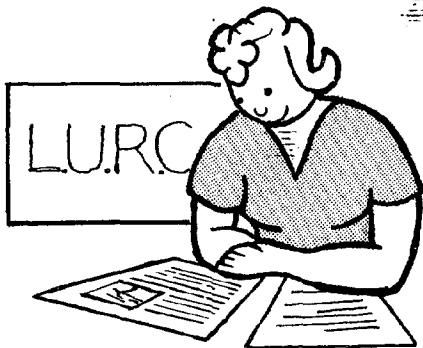
Building Permit application forms require information about ownership, the project location, the building lot, the building itself, and services and soils. The forms consist of numbered, easy-to-answer questions.

The exhibits you must attach to the form are: a deed or lease to the property; a location map; a "before" and "after" sketch plan; and soils report. Section 4 of this Land Use Handbook explains in detail how to file a Building Permit application.

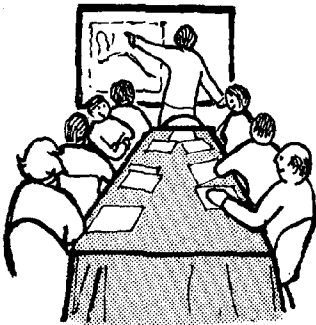
The permit procedure for all these types of permits is basically the same.



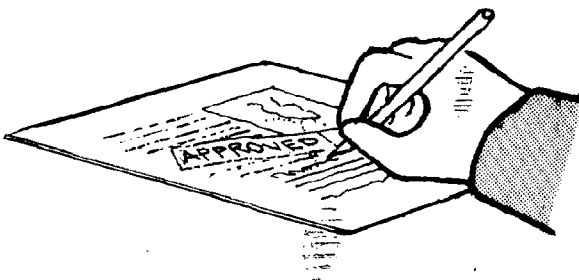
First, the permit application form is completed and sent to L.U.R.C. together with required exhibits.



Second, the L.U.R.C. staff reviews the forms and exhibits and makes a recommendation to issue, with or without conditions, or to deny the permit.



Third, the Commission itself makes a final decision on the application. (In some cases the staff makes this decision.)



Fourth, within 30 days of the initial application L.U.R.C. issues or denies the permit.

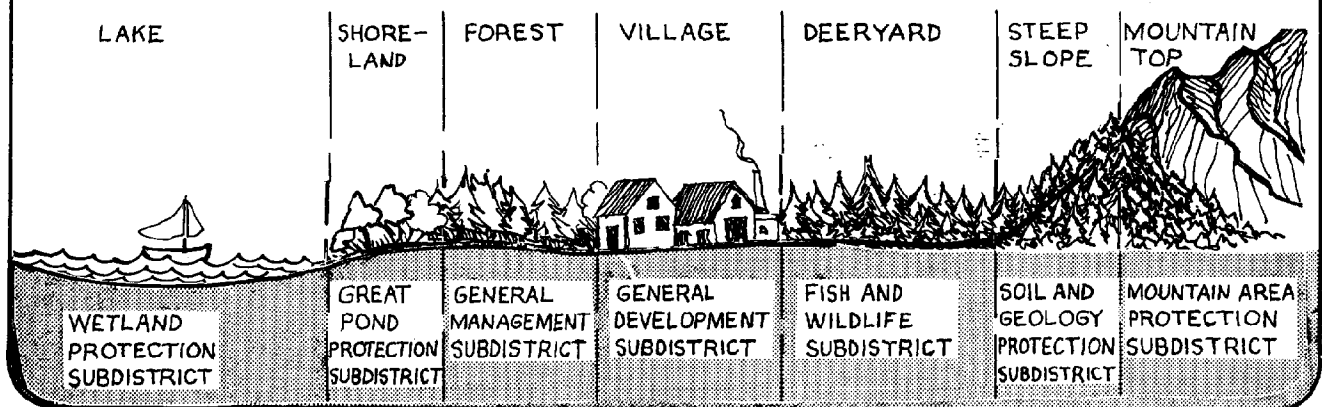
L.U.R.C.'s Land Use Districts

What are Land Use Districts?

Land Use Districts are zones that contain special features that make the land suitable or unsuitable for different kinds of development.

The diagram below shows examples of how some L.U.R.C. Land Use Districts are established. All of the Districts are described on the following pages.

The majority of L.U.R.C.'s Land Use Districts are based on the most important features of each area, such as wetlands, shorelands, mountains, etc.



L.U.R.C.'s Land Use Districts help assure proper land use

By establishing Land Use Districts, L.U.R.C. can map all areas that have special limitations or opportunities for development and zone them appropriately. L.U.R.C. controls how land will be used in each Land Use District by regulating what activities are allowed in them.

All the regulations governing any activity in any Land Use District are contained in L.U.R.C.'s "Land Use Districts and Standards."

There are 3 basic types of Land Use Districts: Protection; Management and Development Districts. These have been subdivided to create 18 Subdistricts.

Protection Subdistricts

Generally these are areas (such as wetlands and mountain areas) that have special characteristics that could be harmed by development.

Management Subdistricts

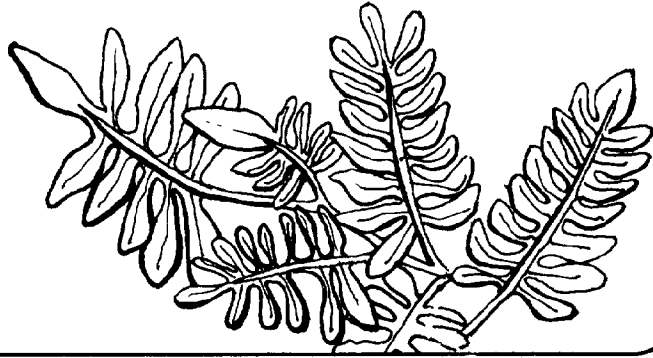
These are areas most suitable for commercial forestry and agriculture.

Development Subdistricts

Generally these are areas which contain groups of houses and/or commercial and industrial activities. These areas are suitable locations for more development of a similar type.

What uses are regulated?

Most uses are regulated. To find out how any use you propose is regulated check with L.U.R.C. staff or refer to the instructions on page 32.



What are L.U.R.C.'s Land Use Subdistricts?

L.U.R.C.'s 18 Land Use Subdistricts are listed below and explained in some detail on pages 15 through 31.

Development Subdistricts

Residential
Commercial/Industrial
General
Planned

See pages 15, 16, and 17.

Development Subdistricts account for about 2% of the land area in L.U.R.C.'s jurisdiction.

Management Subdistricts

General
Highly Productive
Natural Character

See pages 18 and 19.

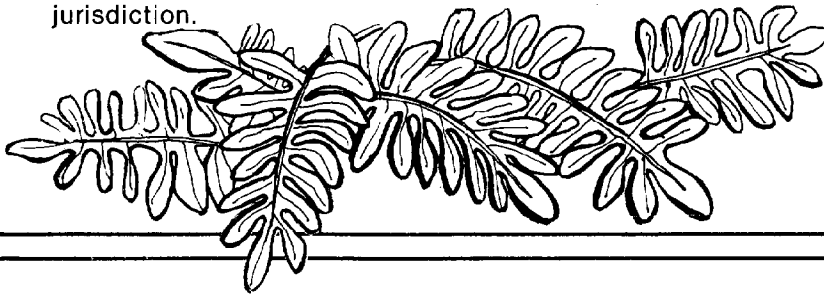
Management Subdistricts account for about 85% of the land area in L.U.R.C.'s jurisdiction.

Protection Subdistricts

Aquifer
Flood Prone
Fish & Wildlife
Great Pond
Mountain Area
Resource Plan
Recreation
Soil & Geology
Shoreland
Unusual Area
Wetland

See pages 20-31.

Protection Subdistricts account for about 13% of the land area in L.U.R.C.'s jurisdiction.



The Land Use Guidance Maps

L.U.R.C. identifies the different kinds of Subdistricts on **Land Use Guidance Maps** (These maps are available from the Commission's office in Augusta). L.U.R.C. describes the regulations that apply in each Subdistrict in the document "Land Use Districts and Standards."

The "Land Use Districts and Standards" document tells you exactly which uses are allowed without a permit, which uses require

a permit, and which uses are not allowed in each Subdistrict.

Pages 32 and 33 explain how you can use the Land Use Guidance Maps to find out what regulations apply to your land.

A Maine Short Story



Tom and Alice had been looking for over a year for a nice quiet lot in the country-side on which to build their first house. When a lot came on the market in a small subdivision in rural North Oakhurst, just up the road from the corner store, they bought it.

Ben and Carol were driving the scenic route through North Oakhurst, looking for land when they spotted the "for sale" sign on a pretty wooded lot. They talked to the agent and the bank the very next day and signed the contract a few days later.

Jim and Jill were married at the Oakhurst Church, held a reception in the Grange Hall and built a house for themselves on a corner

of Uncle Fremont's dairy farm in North Oakhurst.

Tom and Alice and Ben and Carol and Jim and Jill are now neighbors in the fast growing town of North Oakhurst. The woods have been cut back for development, a traffic light was installed at the crossroad and the store now sells souvenirs and has a fast food drive-up service window.

The rural atmosphere that Ted and Alice dreamed about is disappearing. They hope to move again soon, but this time they plan to buy land in an area that is zoned for large residential lots, farms and forest land and not for subdivisions.

Development Subdistricts

Why Development Subdistricts

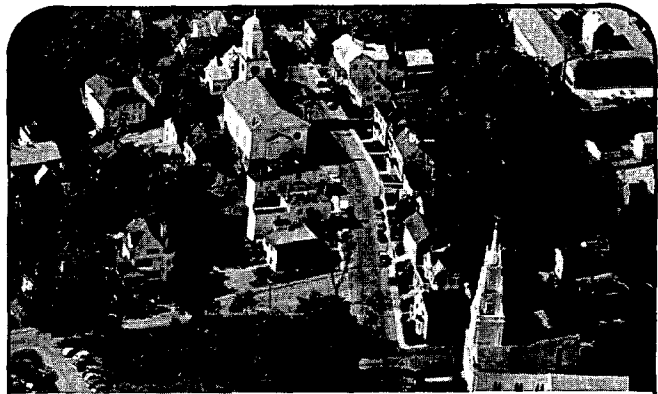
L.U.R.C. has established 3 Development Subdistricts to accommodate new development in existing developed areas and to promote growth adjacent to these areas. The 3 Development Subdistricts are:

- **Residential Development Subdistricts: (D-RS)**
- **General Development Subdistricts; (D-GN)**
- **Commercial & Industrial Development Subdistricts. (D-CI)**



Residential Development Subdistricts

are areas where 4 or more single family houses or mobile homes are grouped closely to each other. The Subdistrict may include schools, parks, places of worship, and other uses that fit in with residential development.



General Development Subdistricts

are areas with 4 or more buildings grouped closely to each other. The Subdistrict may include commercial buildings like stores, motels and restaurants as well as residences.

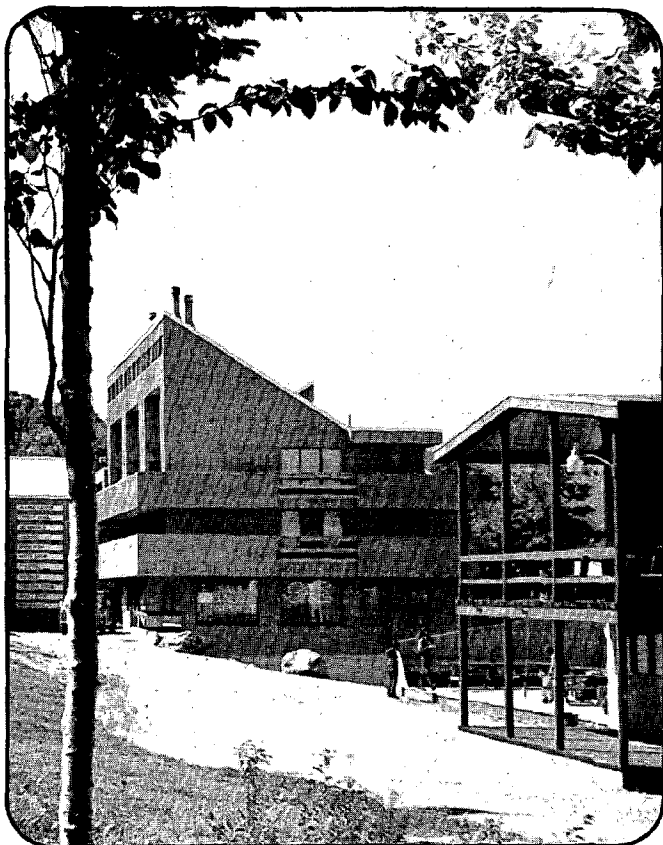


Commercial/Industrial Subdistricts

are areas of 2 acres or more with development that does not fit in with residential uses such as industrial parks, commercial gravel pits and bulk storage areas.

Planned Development Subdistricts

A fourth Development Subdistrict, the Planned Development Subdistrict, permits well-planned, major developments (which meet certain conditions) to be constructed in undeveloped areas.



The Planned Development Subdistrict promotes large well-planned projects

The purpose of this Subdistrict is to allow for large projects (with over 30,000 square feet of building area) that are well planned, creatively designed, and relatively self-sufficient. Planned Development project sites must be over 150 acres in area if the project is residential in nature, or over 50 acres if the development is a commercial or industrial type project.

The procedure for getting a permit for a "Planned Development" requires that the Commission approve preliminary and final development plans.

Note: For a full description of the Planned Development Subdistrict refer to L.U.R.C.'s publication "Land Use Districts and Standards."

Subdivisions are only allowed in Development Districts

To promote orderly and balanced growth in and adjacent to developed areas, L.U.R.C. limits subdivision to Development Subdistricts. "Subdivisions" are defined on the next page.

What is a subdivision?

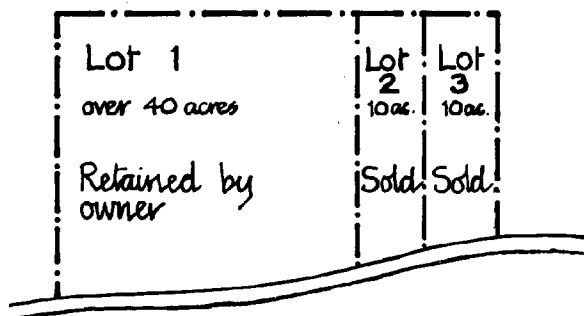
A subdivision is fully defined in L.U.R.C.'s statutes and in the "Land Use Districts and Standards." Basically L.U.R.C. defines a subdivision as being a division of land into 3 or more parcels or lots, within any 5-year period. Parcels or lots of 40 acres or more in size are not considered as subdivision lots.

Divisions of land by inheritance, by court order, or by gift to a relative are not considered subdivisions. Before lots in a sub-

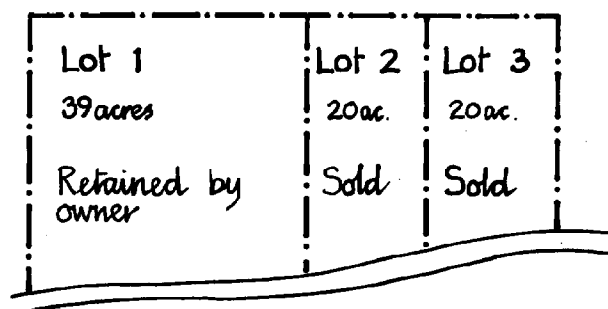
division are sold or leased a Subdivision Permit must be obtained from L.U.R.C. The diagrams below illustrate typical divisions of land. Some are subdivisions and others are not. However, there are many other ways to divide land. If you are unsure if what you propose is a subdivision, check with L.U.R.C.

Note:

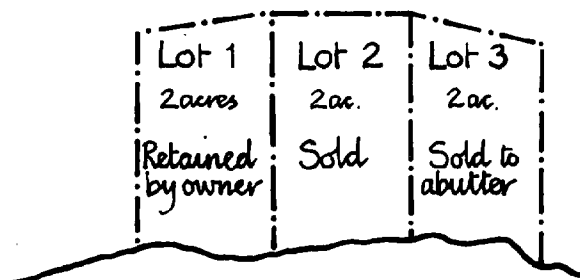
A "Subdivision" is defined slightly differently in organized towns. The examples below apply only in the L.U.R.C. jurisdiction area.



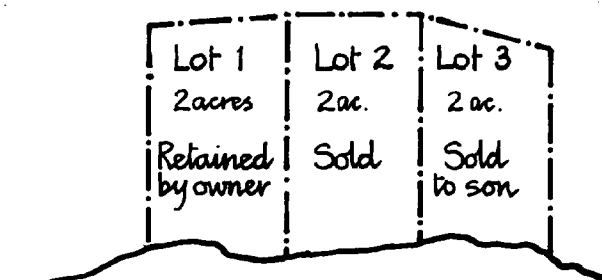
Not a subdivision, because lot 1 is over 40 acres in size.



Subdivision Permit required because lot 1 was less than 40 acres in size and lots 2 and 3 were sold within a 5-year period.



Not a subdivision because lot 3 was sold to an abutting landowner



Subdivision Permit required because 3 lots were created in a 5-year period and lot 3 was sold and was not a gift to a relative.

Management Subdistricts

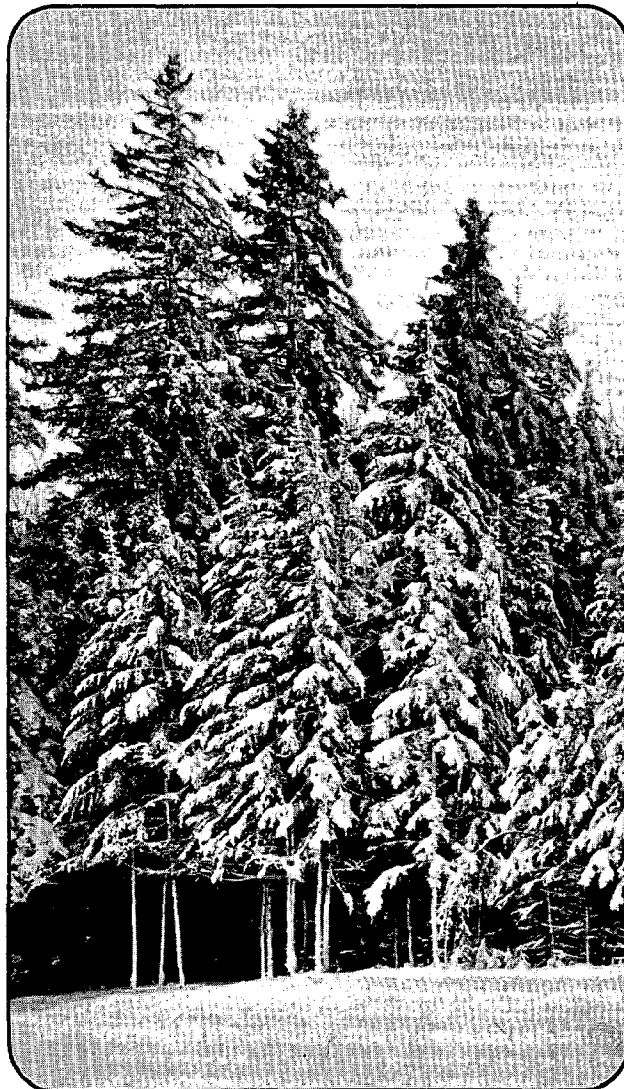
Management Subdistricts conserve land for timber production, agriculture and outdoor recreation.

To assure the conservation of timber and agricultural land and to provide for outdoor recreation, L.U.R.C. has established 3 Management Subdistricts:

- **General Management Subdistrict;** (M-GN)
- **Highly Productive Management Subdistrict;** (M-HP) and
- **Natural Character Management Subdistrict.** (M-NC)

General Management Subdistrict

Most of the land in L.U.R.C.'s jurisdiction falls into this Subdistrict. The purpose of the Subdistrict is to permit forestry and agricultural uses generally without regulation and without interference from unrelated development. For example, no subdivisions or commercial/industrial uses are allowed, but construction of single family homes, campgrounds, and sporting camps is allowed under certain conditions if a permit is obtained.



Highly Productive Management Subdistricts

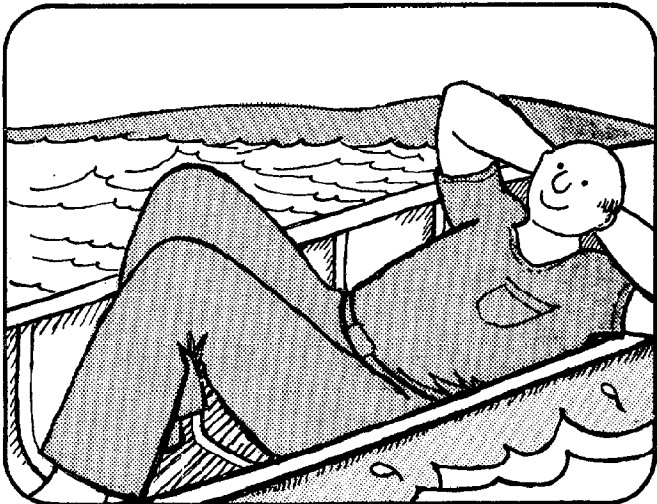
To ensure the availability of high yield forest and agricultural lands, the Commission may designate areas with prime or unique qualities as Highly Productive Management Subdistricts. Uses not related to the management of these lands are restricted.



Natural Character Management Subdistrict

The purpose of this Subdistrict is to maintain a few large areas within L.U.R.C.'s jurisdiction that have a natural, wild, and scenic character. Only forestry and agricultural practices and primitive recreation are permitted in these areas.

Note: For a full description of the Management Subdistricts refer to L.U.R.C.'s "Land Use Districts and Standards."



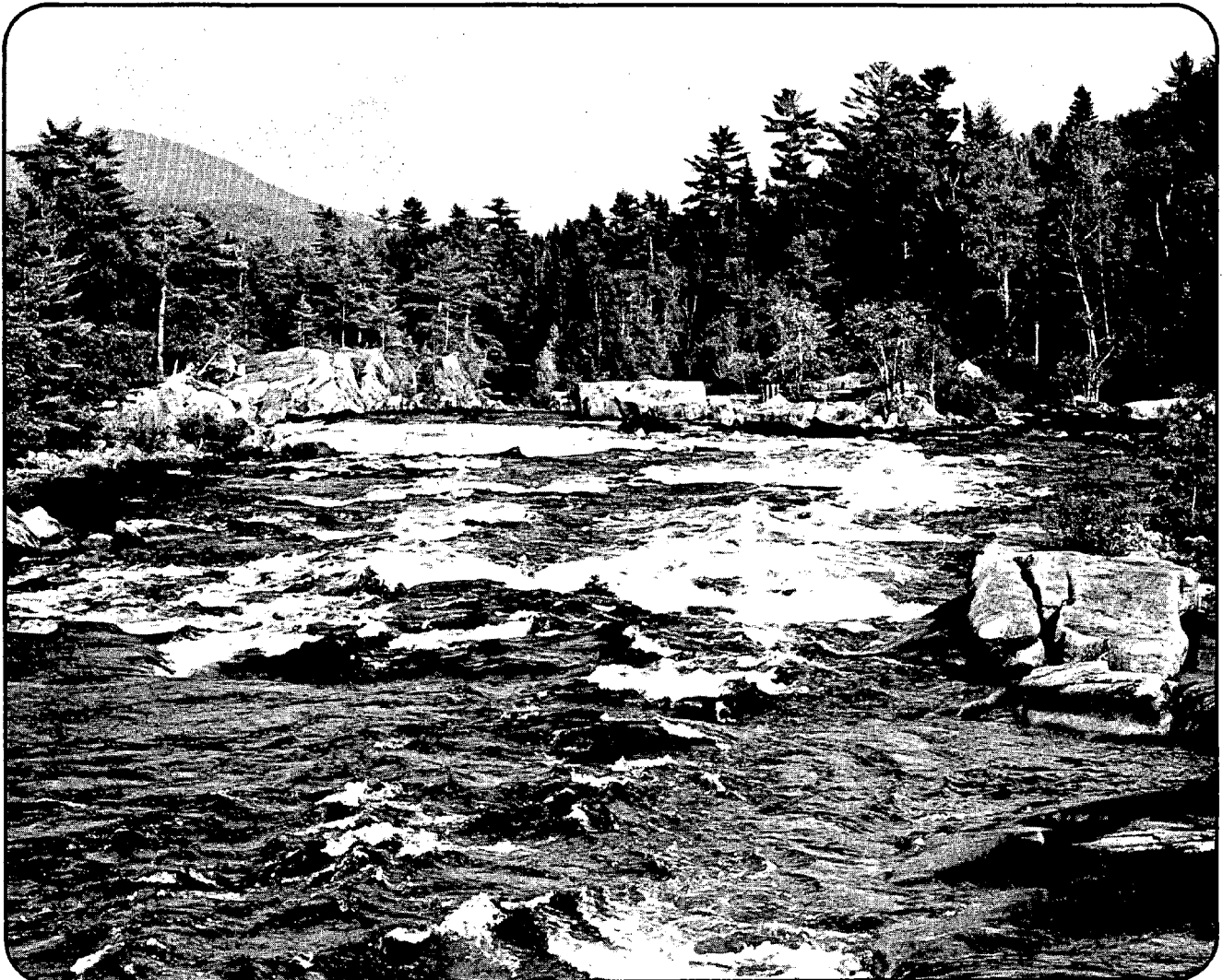
Protection Subdistricts

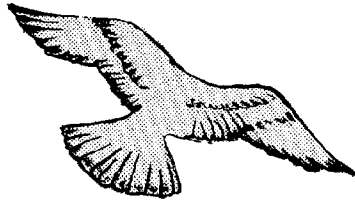
Some areas require special protection

L.U.R.C. has established special Protection Subdistricts. These are areas that have certain physical limitations to development.

Within each of the 11 Protection Subdistricts special regulations apply. Nine of L.U.R.C.'s Protection Subdistricts are described on the following pages.

The descriptions will give you an idea of why each Subdistrict was established and how uses are regulated within the Subdistrict. Because the "Resource Plan" and "Unusual Area" Protection Subdistricts apply to unusual situations they are not described here. Detailed information on all the Subdistricts can be obtained by referring to L.U.R.C.'s "Land Use Districts and Standards."



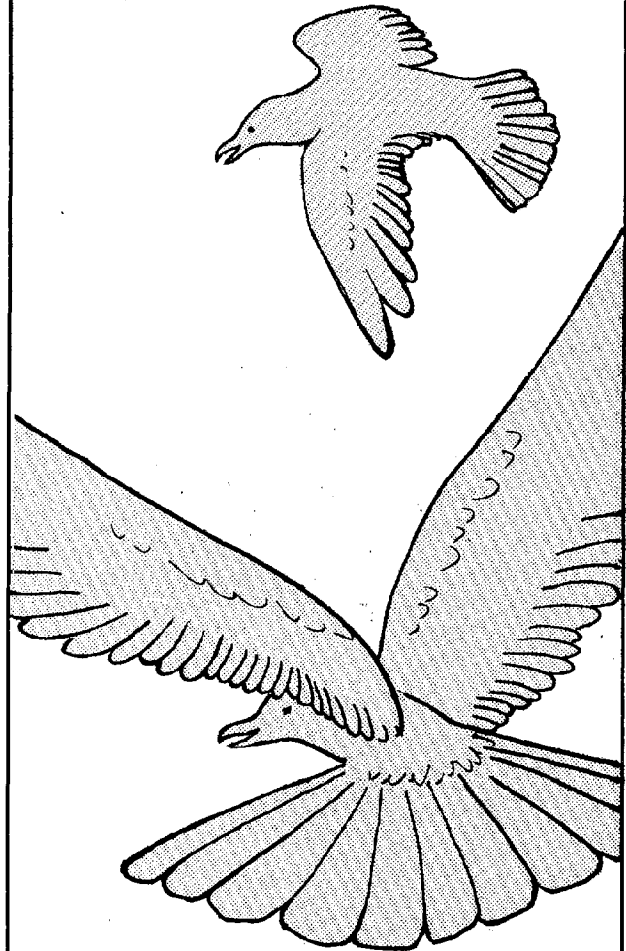


Why Protection Subdistricts?

The Protection Subdistricts help protect the natural resources within L.U.R.C.'s jurisdiction. However, they do not necessarily prevent new development. Instead, they single out areas where certain types of development could have damaging results. Uses that could damage the environment are regulated to protect the owner as well as the general public.

How Protection Subdistricts are established

L.U.R.C.'s "Land Use Districts and Standards" identifies which types of areas should be protected and establishes which uses are suitable or unsuitable for each area. Each Protection Subdistrict is then mapped. The boundaries of the Subdistricts are established from field surveys, aerial photographs, Geological Survey maps and existing inventories.

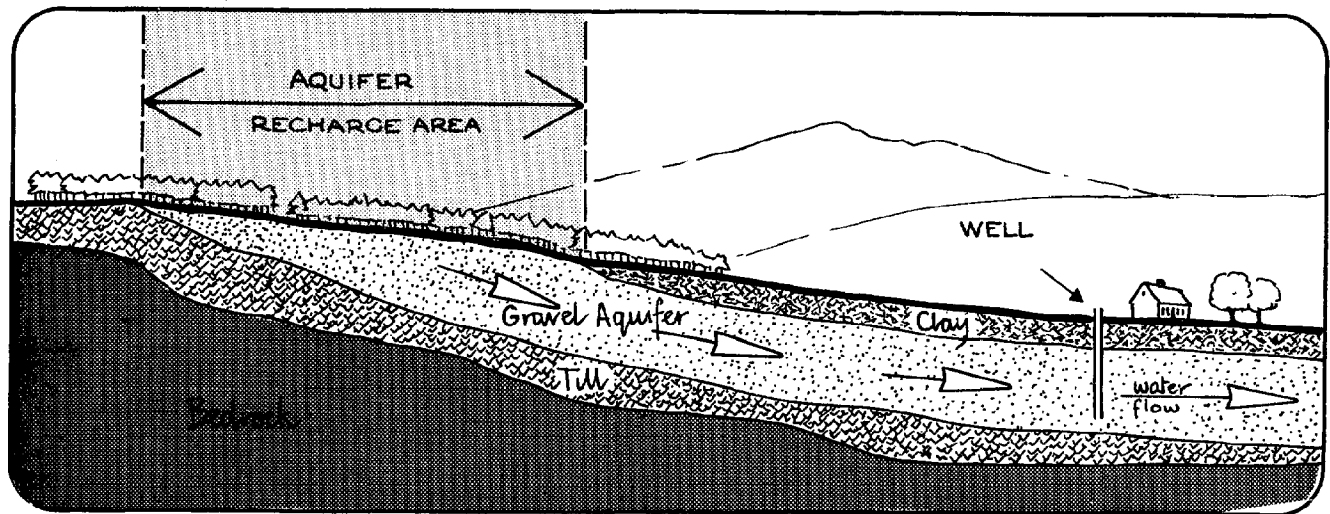


Aquifer recharge areas

What is an aquifer recharge area?

An aquifer recharge area can absorb large amounts of surface water because of special soil and geological conditions. Often surface water feeds ground water wells that supply

residential or other needs. L.U.R.C. calls these areas "Aquifer Protection Subdistricts" and identifies them on maps with the letters "P-AR."



It is important to protect aquifers

Because much of our drinking water supply comes from ground water, it is important to make certain that the water filtering into the ground is not polluted by chemicals, oils, or other pollutants. Also, it is important to make sure water can filter into the soil without obstruction from man made structures. L.U.R.C. therefore restricts certain types of land use on aquifers that supply existing or proposed uses.

What Uses are Allowed?

Generally recreation activities and timber harvesting are allowed without a permit in the Aquifer Protection Subdistrict. Roads, campsites, campgrounds, and dwellings are allowed with a permit. Commercial and industrial facilities and subdivisions are not allowed. For complete information see L.U.R.C.'s "Land Use Districts and Standards."

Flood prone areas

What is a flood prone area?

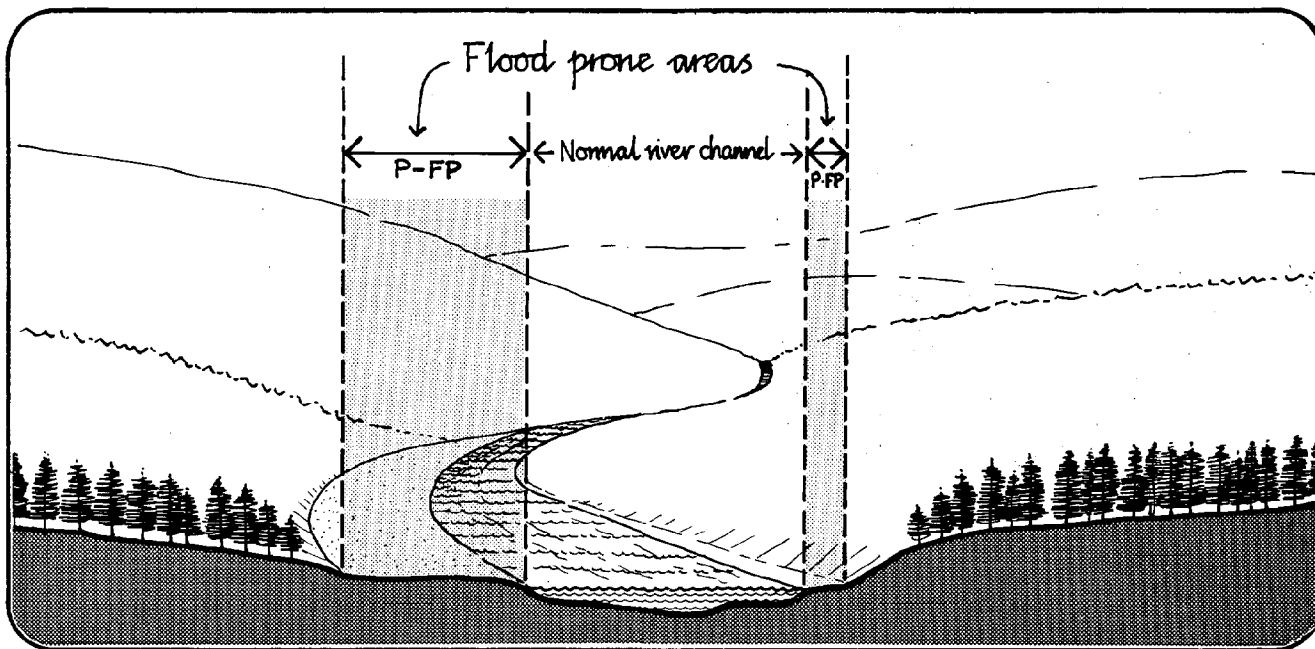
L.U.R.C. defines flood prone areas as any area that will flood once in any one hundred-year period. Federal flood insurance programs use this same measure to define flood areas.

L.U.R.C. calls these areas "Flood Prone Protection Subdistricts" and identifies them on maps with the letters, "P-FP."

Protecting flood prone areas reduces flood damage

Development in flood prone areas is regulated because:

- these areas are subject to destructive floods;
- man made structures in the flood plain can make natural flood conditions worse;
- flood prone areas are valuable for intensive farming and forest management;
- flood prone areas store excess water and lessen flood danger downstream.



Most structures are not allowed in flood prone areas

Recreation activities, campsites, farming, and forest management are allowed in Flood Prone Protection areas. Permits are required for mineral extraction and commercial campgrounds. Residential dwellings, sub-

divisions, and commercial and industrial facilities are not allowed. For complete information refer to L.U.R.C.'s "Land Use Districts and Standards."

Fish and Wildlife areas

What are fish and wildlife areas?

Fish and wildlife areas protected by L.U.R.C.'s regulations are areas of special importance to fish, deer and certain sea birds. They include significant fish spawning areas, deer wintering shelter areas, and coastal nesting islands, all identified by the

Maine Department of Inland Fisheries and Wildlife. L.U.R.C. calls these areas "Fish and Wildlife Protection Subdistricts" and identifies them on maps with the letters "P-FW."



Fish and Wildlife areas are a valuable resource

Fish and wildlife areas are conserved to assure their economic, aesthetic, recreational, educational and scientific value to the citizens of Maine.

L.U.R.C. regulates land use on the fish and wildlife areas by prohibiting most building construction and commercial mineral extraction, and by requiring timber harvesting and road construction to be conducted ac-

cording to prescribed standards. Recreational activities are allowed without a permit.

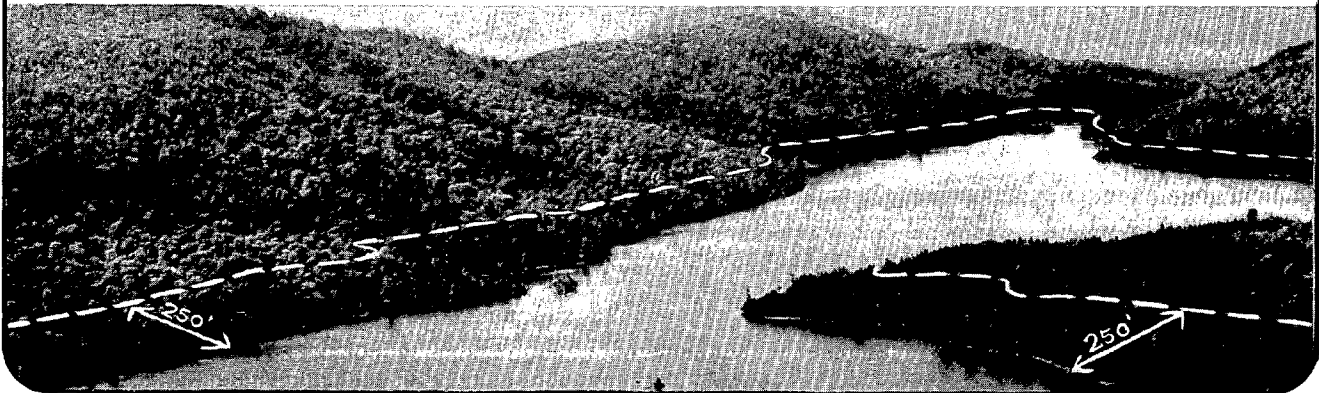
For complete information please refer to L.U.R.C.'s "Land Use Districts and Standards."

Pond and Lake areas

What are pond and lake areas?

L.U.R.C. defines most areas within 250 feet of the shoreline of ponds and lakes of 10 acres and over as Great Pond Protection Subdistricts. These areas are identified on maps with the letters "P-GP." A few

developed areas around ponds and lakes, such as areas where 4 or more buildings are closely grouped, are not included in this zone and are known as Development Districts.



Ponds and lakes need special protection

Lakes and ponds supply water, provide recreation areas, and are an essential part of the scenic beauty of Maine.

These special values are conserved by regulating development on the shore. Unregulated development can pollute the water, cause green algae blooms and make the lake unsuitable for swimming and fishing.

How does L.U.R.C. regulate development in pond and lake areas?

L.U.R.C.'s regulations require that most land uses are set back a certain distance from the shoreline. In many cases specific land use standards apply. Generally, subdivisions and large commercial and industrial projects are not allowed in Great Pond Protection Subdistricts. Campgrounds, sporting camps and small stores are allowed by special exception. Dwellings, permanent docks, and similar uses require a permit.

For information on regulations that apply to shorefront lots see page 42. Section 4 of this Handbook explains "How to Apply for a L.U.R.C. Building Permit."

For detailed information see L.U.R.C.'s "Land Use Districts and Standards."

Mountain Areas

What is a Mountain Area?

L.U.R.C. defines all areas above 2,700 feet in elevation as "Mountain Area Protection Subdistricts." These areas are identified on maps with the letters "P-MA."

Why does L.U.R.C. regulate development in mountain areas?

- Mountain areas are generally unsuitable for development because of shallow soils and steep slopes which erode easily.
- Mountain areas provide water and recreation as well as a habitat for rare animal species.
- Vegetation at these elevations is fragile and can be disturbed by development.



What regulations apply in mountain areas?

The Commission prohibits most building and construction in mountain areas. Skiing facilities and utility structures may be permitted by special exception. Timber harvesting, trail and land management road

construction are allowed after a permit is issued. Specific regulations and standards apply to these permitted uses. For complete information refer to L.U.R.C.'s "Land Use Districts and Standards."

Recreation areas

How does L.U.R.C. define recreation areas?

L.U.R.C. defines recreation areas as areas that are especially important for hiking, canoeing and fishing. This includes major hiking trails, certain streams, and remote ponds that support a cold water fishery.

Recreation Protection Subdistricts provide protection from development to those areas (usually trails, streams and remote ponds) primarily used for primitive recreation. The Subdistrict generally extends 100 feet on either side of a stream or trail and 1/2 mile from the shore of remote ponds. Recreation areas are identified on maps with the letters, "P-RR".

Why protect recreation areas?

L.U.R.C. ensures that some areas remain relatively remote and undeveloped, so as to prevent destruction of valuable recreational and scenic resources.

What uses are permitted in recreation areas?

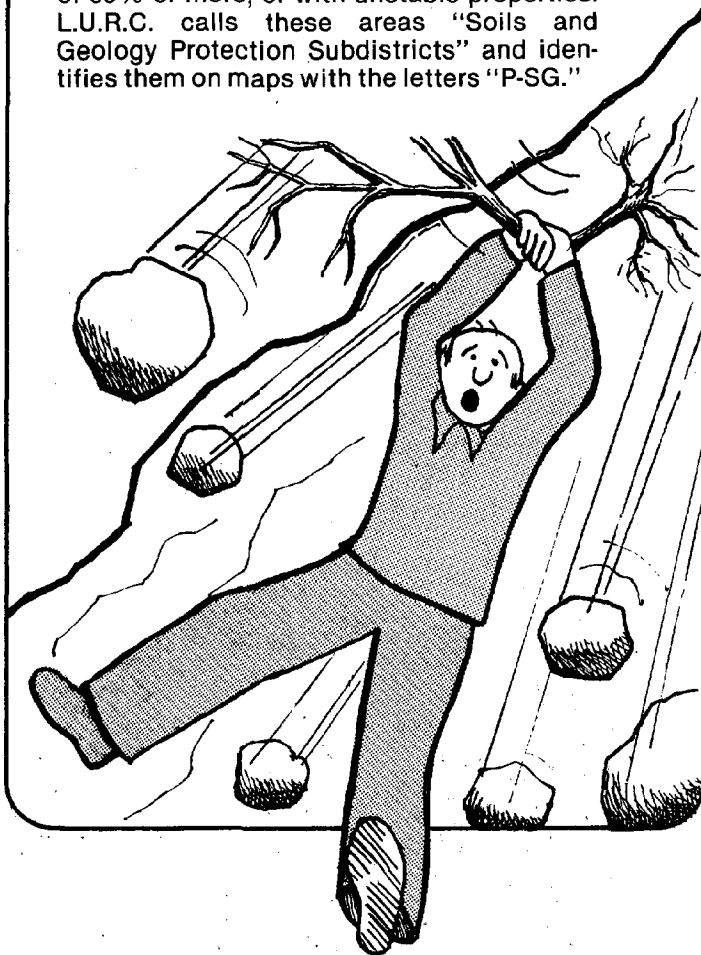
Primitive recreation is allowed without a permit. Campsites and timber harvesting along streams, trails, and remote ponds are allowed with a permit. Dwellings, subdivisions, campgrounds, and commercial, industrial or institutional facilities are not allowed. For complete information refer to L.U.R.C.'s "Land Use Districts and Standards."



Unstable soil & geological areas

What are unstable soil and geological areas?

The Commission defines unstable soil and geological areas as zones of 10 acres or more with either slopes which have a grade of 60% or more, or with unstable properties. L.U.R.C. calls these areas "Soils and Geology Protection Subdistricts" and identifies them on maps with the letters "P-SG."



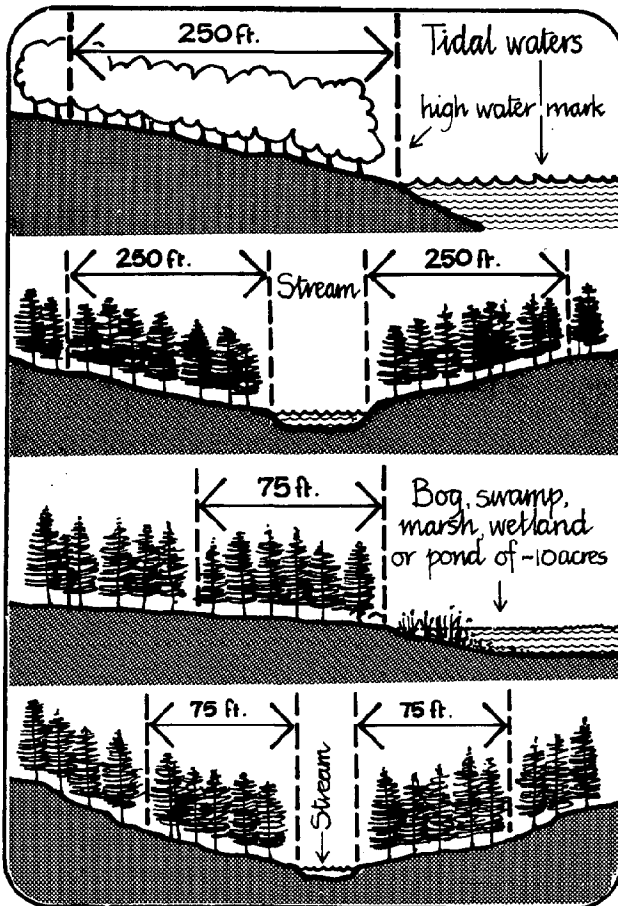
Why regulate development in these areas?

All development in areas with steep slopes and unstable soil or geological conditions causes increased erosion. Regulations can help lessen erosion, reduce sedimentation, and help prevent dangerous conditions that threaten public safety.

What uses are allowed?

L.U.R.C.'s regulations permit timber harvesting, road construction and agricultural management on steep slopes, provided special conditions are met. Dwellings and commercial and industrial structures are not allowed. For complete information refer to L.U.R.C.'s "Land Use Districts and Standards."

Shoreland areas



Permitted uses must be set back from the shoreline

Most uses that are allowed in Shoreland Protection Subdistricts must be set back a certain distance from the shoreline and/or meet special standards. (See pages 42 and 43.) Generally, mineral extraction, dwellings and campgrounds are allowed in shoreland areas with a permit. Commercial sporting camps are allowed by special exception. Subdivisions and commercial and industrial centers are prohibited. Timber harvesting and land management roads are permitted if they meet certain standards. (See pages 38-41.) For complete information refer to L.U.R.C.'s "Land Use Districts and Standards."

What are shoreland areas?

L.U.R.C. defines shoreland areas in two categories:

1. Areas within 250 feet of:
 - tidal waters,
 - streams and rivers downstream from the point where they drain 50 square miles of land or more, and
2. Areas within 75 feet of:
 - bogs, swamps, marshes and wetlands,
 - lakes and ponds of less than 10 acres, and
 - streams, upstream from the point where they drain 50 square miles of land to where the channel is no longer identifiable.

These areas are known as "Shoreland Protection Subdistricts" and are identified on maps with the letters "P-SL."

Why protect shoreland areas?

By controlling development on shoreland areas L.U.R.C. can help prevent water pollution and protect fish, birds, and other wildlife. In addition, such regulation maintains the natural beauty of Maine's streams, rivers, and coast.

A Story—The Berrys' of Booker Pond

Over time, Brian and Joanne Berry have come to realize the value of the trees that line Booker Pond. They made the mistake of clearing the trees in front of their cottage when they built it some ten years ago. At that time they wanted a clear view of the lake. Now they are wiser.

Brian first realized the value of the trees after a heavy spring storm. The ditch along the road had overflowed and spilled across his newly seeded lawn; a lot of topsoil and grass seeds ended up in the pond. Next door, Brian noticed the tree root systems had helped bind the soil and prevent erosion.

But it was the kids who brought it home to them. While out boating one day, little Tommie said, "If it weren't for our house, you'd think we were miles from anywhere." Only then did Brian and Joanne notice that theirs was the only house on Booker Pond that did not have a screen of trees in front of it.

The Berrys have planted more trees on their land now. A few are fairly large already and Joanne and Brian enjoy the way they frame the view and shade them from the hot afternoon sun.



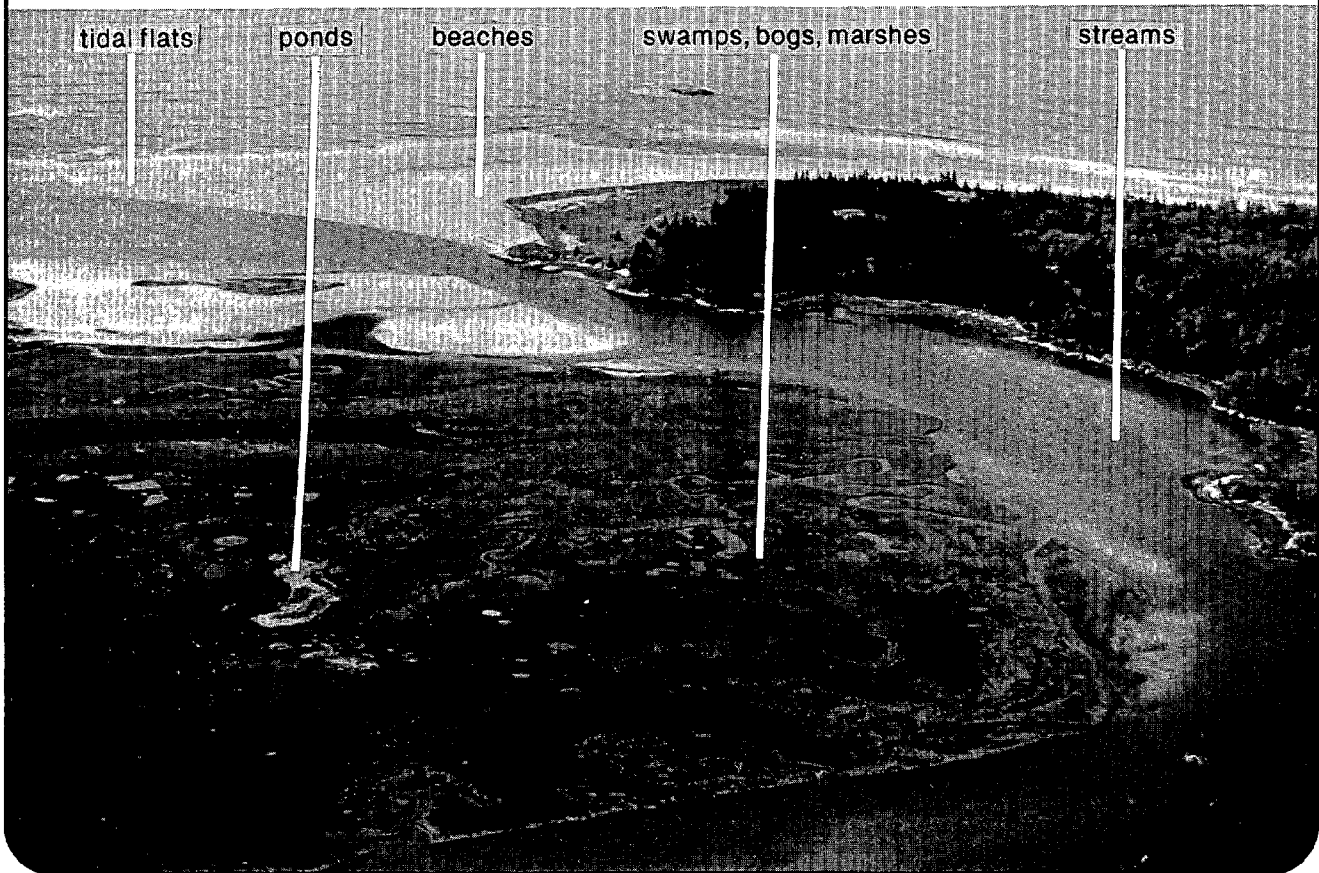
Wetland areas

What are wetland areas?

L.U.R.C. defines wetlands as all water covered areas, including lakes, streams, ponds and beaches. Also included are swamps, bogs, marshes and tidal flats of more than 10 acres. The boundary of a wetland is its high water mark. L.U.R.C. calls these areas "Wetland Protection Subdistricts" and identifies them on maps with the letters "P-WL."

Why do wetlands need protection?

In their natural state, wetlands play a key part in keeping wildlife healthy and purifying our water supply. Wetlands store water in dry periods, help maintain water quality, settle out silt, maintain ground water supplies and provide fish and wildlife habitat.



Most types of structures are not allowed in Wetland Protection Subdistricts.

Generally, mineral extraction and the construction of all residential, commercial and industrial structures in wetlands is prohibited. Timber harvesting is permitted pro-

vided certain standards are met. Land management roads are allowed if a permit is obtained. See L.U.R.C.'s "Land Use Districts and Standards" for detailed information.

What regulations apply to your land?

How to find out what regulations apply to your land



The easiest way to find out how L.U.R.C.'s regulations affect you is to write or call the agency. Explain to the staff where your land is located or send the staff a map that shows the exact location of your land, and tell the staff what you wish to do with your land. The staff will then tell you what regulations apply.

If you want to check regulations for yourself, you will need:

- a Land Use Guidance Map for your area; and
- L.U.R.C.'s "Land Use Districts and Standards."

Both are available from the main office in Augusta.

How to check the regulations yourself

Follow the instructions below and look at the example on page 33.

Step 1 Mark the boundaries of your land on the Land Use Guidance Map for your area.

Step 2 Note what Land Use Subdistricts (zones) are mapped on your land. For example, D-RS, P-FW etc.

Step 3 Look up the Subdistricts in L.U.R.C.'s "Land Use Districts and Standards" to find out how the uses you plan for your land are regulated. Pages 10-29 will provide you with a rough idea of what regulations apply.

An example of how to find out what regulations apply

Assume that Fred Brown owns 30 acres on Brandy Pond. (The map below is a part of a larger "Land Use Guidance Map.") Fred has drawn in his parcel on the south shore of the pond.

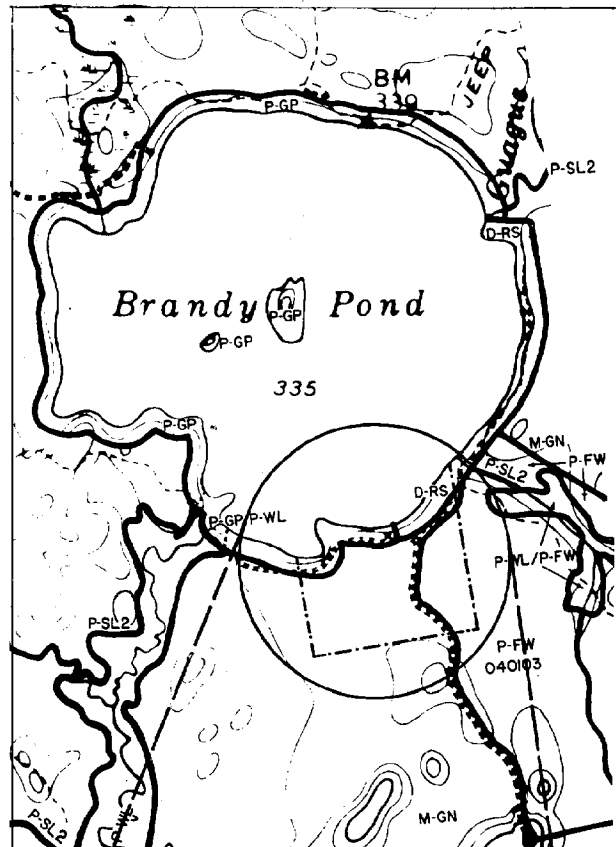
Fred's land includes parts of four Land Use Subdistricts. They are identified by the following letters:

P-GP Great Pond Protection Subdistrict

D-RS Residential Development Subdistrict

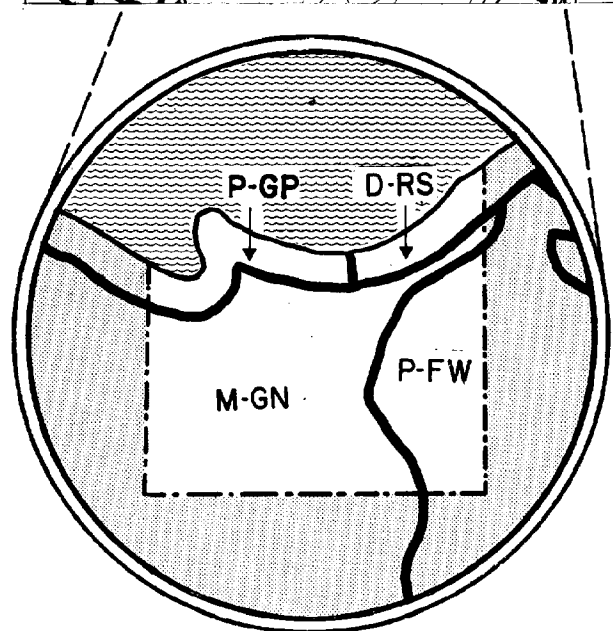
P-FW Fish and Wildlife Protection Subdistrict

M-GN General Management Subdistrict



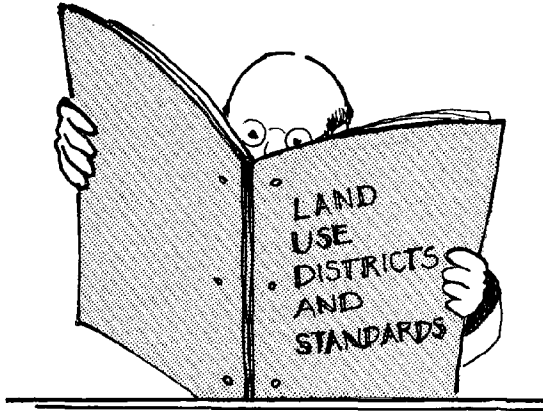
By referring to the L.U.R.C. booklet "Land Use Districts and Standard" Fred can find out what regulations apply in these four areas.

For example, he will find that he can build a summer camp in all areas but the P-FW area and that subdivisions are only permitted in D-RS areas. He will also be able to find out what Standards apply to any timber harvesting he might wish to do.



Land Use Standards

L.U.R.C.'s standards help assure quality development



L.U.R.C.'s regulations require that many land uses meet certain L.U.R.C. Standards. The Standards help assure that all development is of high quality.

Before you start a project check with the L.U.R.C. staff or read L.U.R.C.'s "Land Use Districts and Standards" (available from L.U.R.C., State House, Augusta 04333) to be certain that you will be able to meet the required Standards.

What activities are subject to Land Use Standards?

The following activities are subject to L.U.R.C. Standards:

- Agriculture
- Clearing Shoreland Property*
- Mineral Extraction*
- Road and Water Crossing Construction*
- Timber Harvesting*
- Building*
- Applying Pesticides
- Erecting Signs*
- Disposing of Sewage
- Impounding Water

The complete "Standards" for all the above activities are contained in L.U.R.C.'s "Land Use Districts and Standards."

*The Standards for these activities are summarized on pages 34 through 43.



When do L.U.R.C. Standards apply to you?

If you plan to undertake any of the activities listed on page 34, you will probably be subject to L.U.R.C.'s Standards.

In some cases if you conform to the Standards no permit from L.U.R.C. is required but you must notify the agency of what you plan to do. In other cases you will need a permit.

The Permit will tell what L.U.R.C. Standards apply to you.

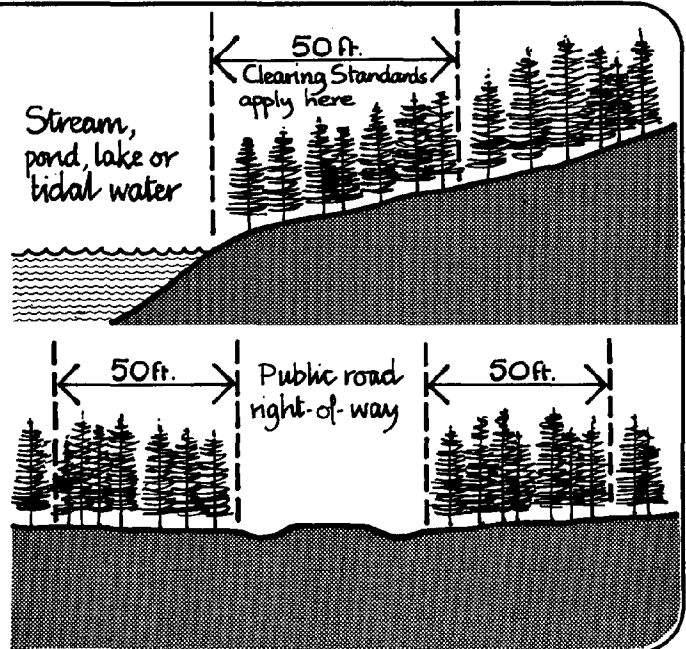
Call or write to L.U.R.C. to find out more.

For an explanation of how to apply for a permit see pages 10 and 11.

Clearing Standards

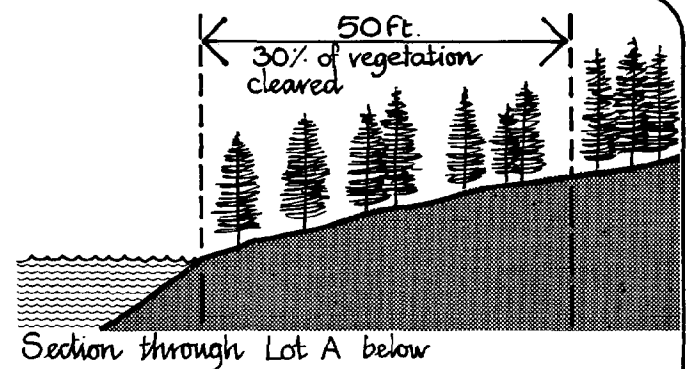
Where do L.U.R.C.'s Clearing Standards apply?

Generally, L.U.R.C.'s Clearing Standards apply to tree clearing operations on land within 50 feet of streams, ponds, lakes, tidal waters and public roads. These Clearing Standards do not apply to timber harvesting operations, but other clearing Standards do. See pages 40-41. The Clearing Standards do apply to clearing in areas, other than Development Districts, where construction is planned.



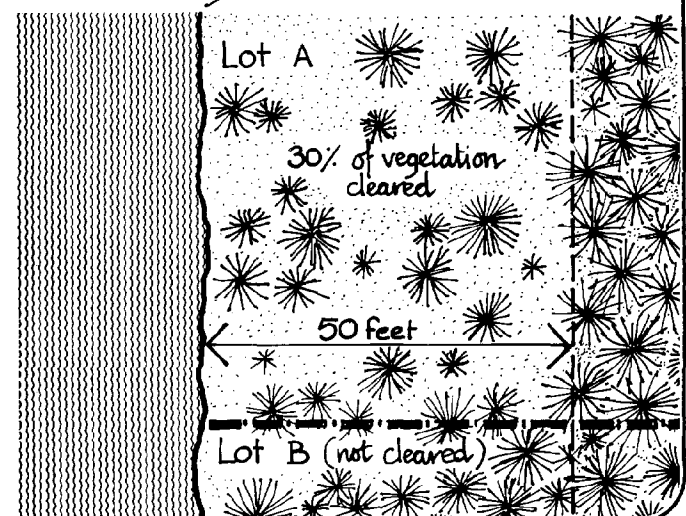
What are Clearing Standards?

No more than 30% of the vegetation within 50 feet of streams, ponds, lakes, tidal waters, and public roads may be removed. If you do not plan to meet this standard, apply for a permit from L.U.R.C. For a full explanation of L.U.R.C.'s Standards refer to "The Land Use Districts and Standards."



Why clearing Standards?

The Standards help maintain beauty, reduce erosion and assure that minor streams are shaded to protect fish habitat.



Mineral Extraction Standards

What are the Mineral Extraction Standards?

See the diagrams below if you plan to remove material within 330 feet of a:

- stream
- pond or lake
- tidal water
- public road
- adjoining property or
- public facility

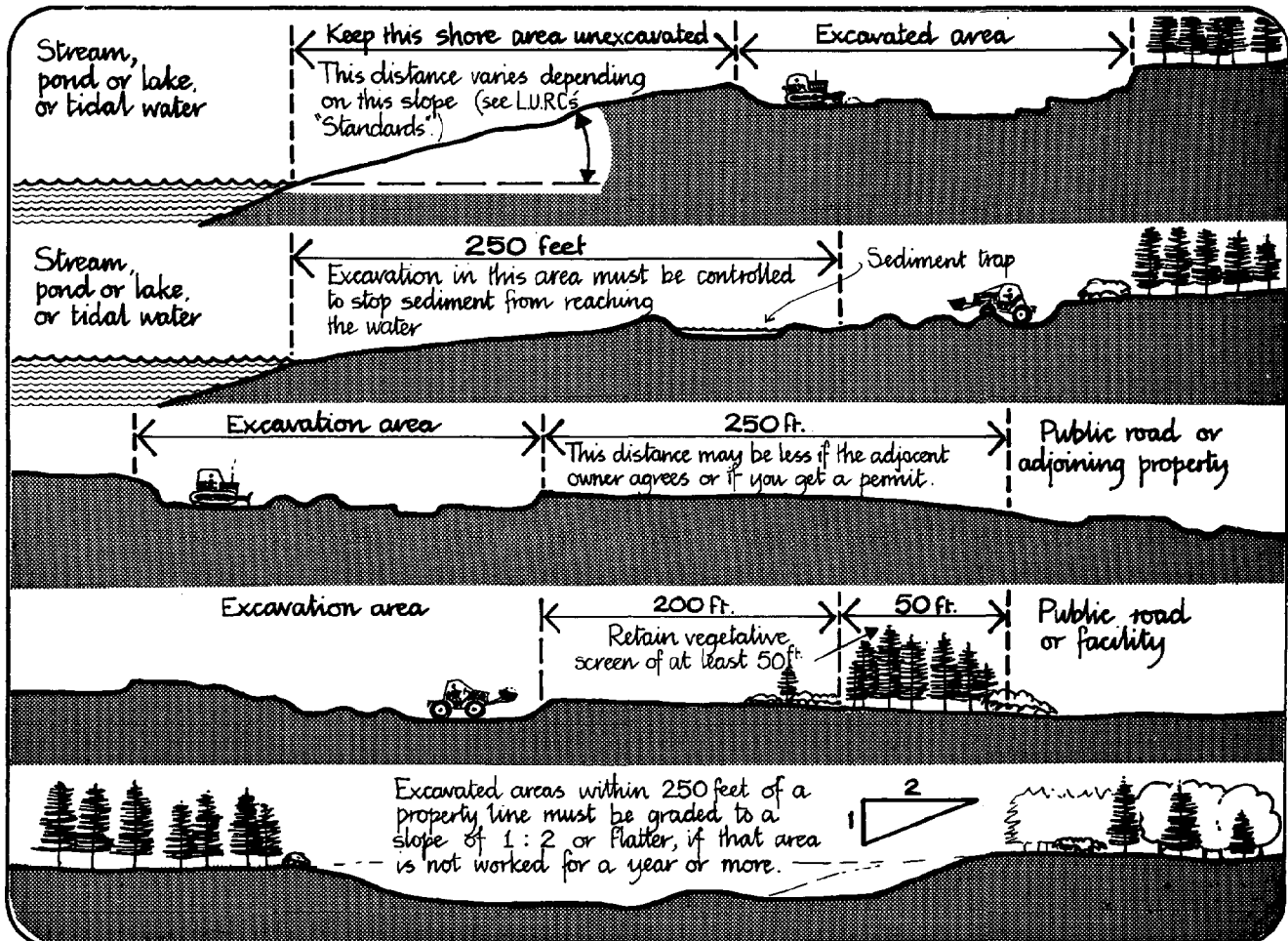
For a full explanation of Mineral Extraction Standards refer to L.U.R.C.'s "Land Use Districts and Standards."

When do L.U.R.C.'s Mineral Extraction Standards Apply?

The Mineral Extraction Standards apply to all surface mining or borrow operations in the L.U.R.C. jurisdiction.

Why Extraction Standards?

The Standards help prevent mineral soils from being washed into streams, lakes, or tidal waters. They also protect nearby property values, help maintain scenic beauty and assure public safety.



Water Crossing Standards



Who must comply with L.U.R.C.'s Water Crossing Standards?

Anyone planning to build a structure to cross a stream that drains an area of less than 50 square miles must notify the Commission in writing, ahead of time, and comply with the Standards below or apply for a permit. A permit is required for all water crossings on streams that drain more than 50 square miles.

Why Water Crossing Standards?

The Standards help protect streams from being choked by sediment or debris caused by undersized or poorly constructed bridges and culverts.

The Water Crossing Standards

Water crossings must be designed to accommodate a 10 year frequency water flow or be designed so that if they fail the natural course of the stream is maintained. This could be done by removing the culvert or bridge before the ground is frozen, and/or by using water bars and/or road dips.

Water crossings on roads that are discontinued for 3 or more years must be removed unless they are designed to accommodate a 25 year frequency water flow.

For more information on how to construct culverts, bridges, water bars and road dips see Section 6.

For a full explanation of the Water Crossing Standards refer to L.U.R.C.'s "Land Use Districts and Standards."

A Story—Short-Cuts Don't Pay

Paul Jones wanted to get his wood out quickly as the mill pulp-wood price was up and he needed a little extra cash to buy a new chainsaw.

It had been a dry summer and as the easiest grades followed the bottom of the valley, Paul and his crew began to cut on the slopes and skid downhill to a skid road they made alongside Orton Brook. As they worked back up the valley, the skidding distance increased and they found it necessary to ford the stream diagonally a couple of times. Because the water was low, the water crossings they made worked well.

After a couple of weeks, Paul stopped by Joe's Small Engine Shop and eyed the newest chainsaws. He told Joe he'd be by shortly.

That weekend the long needed rains came. Two thunderstorms rolled through the hills. Early Monday, Paul knew something was wrong. Orton Brook, down by the landing, looked very muddy. Further up stream, the problem was clear. The rain swollen brook had changed its course and now flowed down part of his skid road. Rocks, soil and slash were now washing into the stream. The eroded road was unusable; there was no easy way to get the wood out. Paul knew that he would have to wait for the new saw now.

Paul has worked in the woods a good many years since his unpleasant experience. He is careful to notify the Land Use Regulation Commission about operations near small streams and he plans out his routes ahead of time. The good logging practices have paid off over the long term and the extra cash has bought more than a new chainsaw.



Timber Harvesting Standards

Where do the Timber Harvesting Standards apply?

L.U.R.C.'s Timber Harvesting Standards apply to all timber harvesting operations in Protection and Development Subdistricts except as noted below.

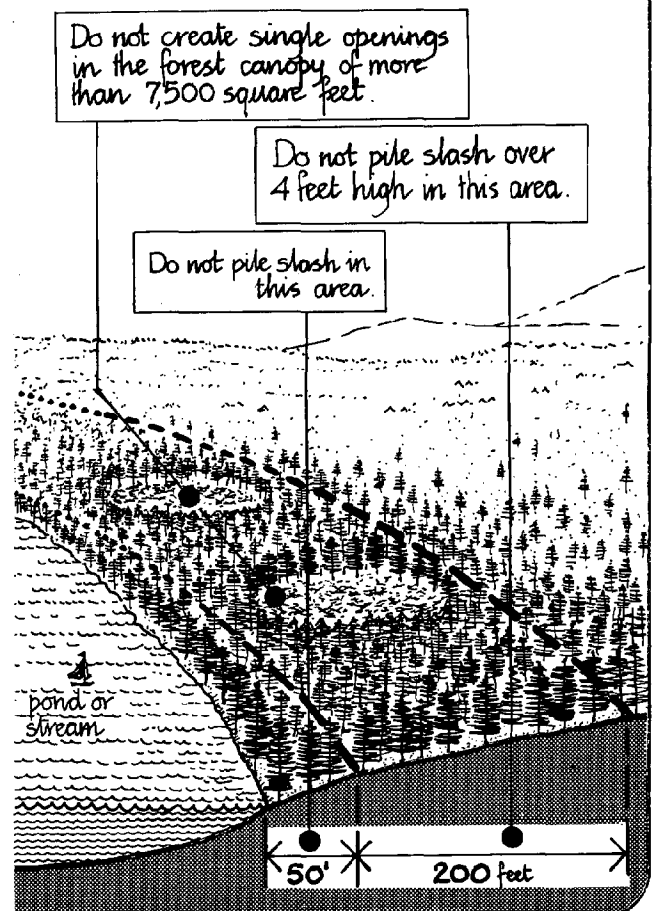
Why Timber Harvesting Standards?

The Standards help to minimize erosion and sedimentation in streams and ponds, and help assure that the scenic beauty of woodlands bordering the shoreline is retained. The Standards help maintain Maine's clean water and natural environment.

The Timber Harvesting Standards

If one or more of the L.U.R.C. Standards below apply to your planned timber harvesting operation you must notify L.U.R.C. For complete information see L.U.R.C.'s "Land Use Districts and Standards."

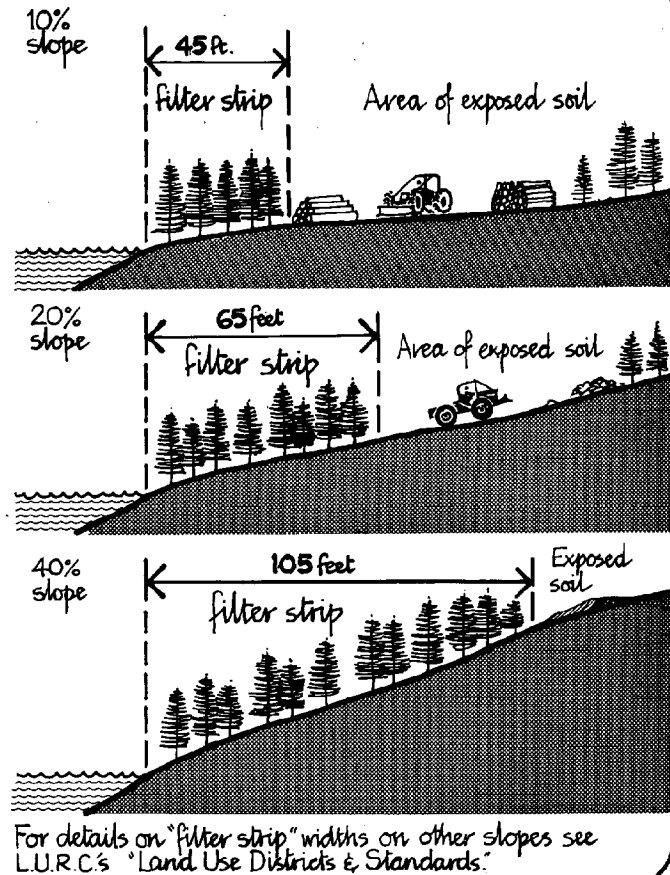
- Do not skid across streams draining 50 square miles or more, unless the waters are frozen.
- Skid trails and roads draining 50 square miles or more must use a bridge or culvert designed to meet L.U.R.C.'s Water Crossing Standards (See page 38).
- If you plan to harvest within 250 feet of streams draining 50 square miles or more, or a pond of 10 acres or more:
 - No more than 40% of the volume of trees of more than 6 inches diameter in any 10 year period should be removed;
 - well-distributed stands of trees should be left. (See sketch).
 - slash should not be piled within 50 feet of the shoreline. (See sketch).



- If you plan to harvest near any streams and ponds:

—roads, trails and other areas of exposed soils should be kept away from the water.

—the distance that timber harvesting should be set back from streams or ponds should vary depending on the slope or grade of the harvest area. This set back from the shoreline creates a “filter strip” of timber which protects the water from harmful runoff. The sketches show examples of how the width of the filter strip varies with different slopes.



- If you plan to skid across streams draining less than 50 square miles:

—A bridge or culvert should be installed in accordance with L.U.R.C.’s Water Crossing Standards (see page 38); however, if the stream bed is gravel or rock and won’t erode, you may cross without a bridge or culvert. Cross the stream by the shortest route (see sketch).



- If you plan to skid across streams draining less than 300 acres:

—no bridges or culverts are required provided that there is minimal evidence of erosion and sedimentation at the point where the stream drains one square mile.

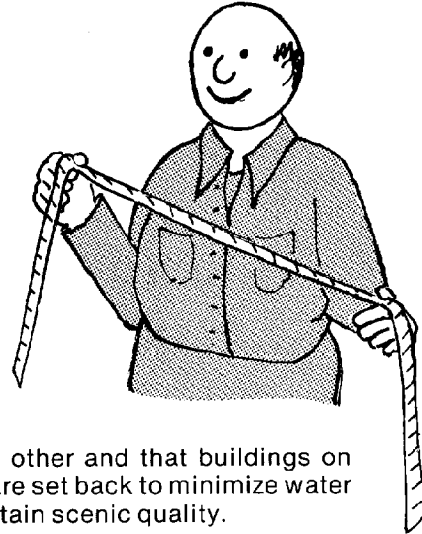
- The Standards also require that:
 - skid roads and trails are designed so that runoff in them doesn’t reach any streams or ponds.
 - slash is kept out of all streams.

Note: if you cannot meet these Standards, you must apply for a permit from L.U.R.C.

Lot Standards

All lots are subject to minimum size requirements.

L.U.R.C.'s Standards establish lot size requirements. In other words, the size of your lot and the distance you set your building back from the boundaries is dictated by law. The size requirements that apply to you depend on the type of subdistrict in which you are located. The diagrams below and on page 43 explain what some of the different requirements are.



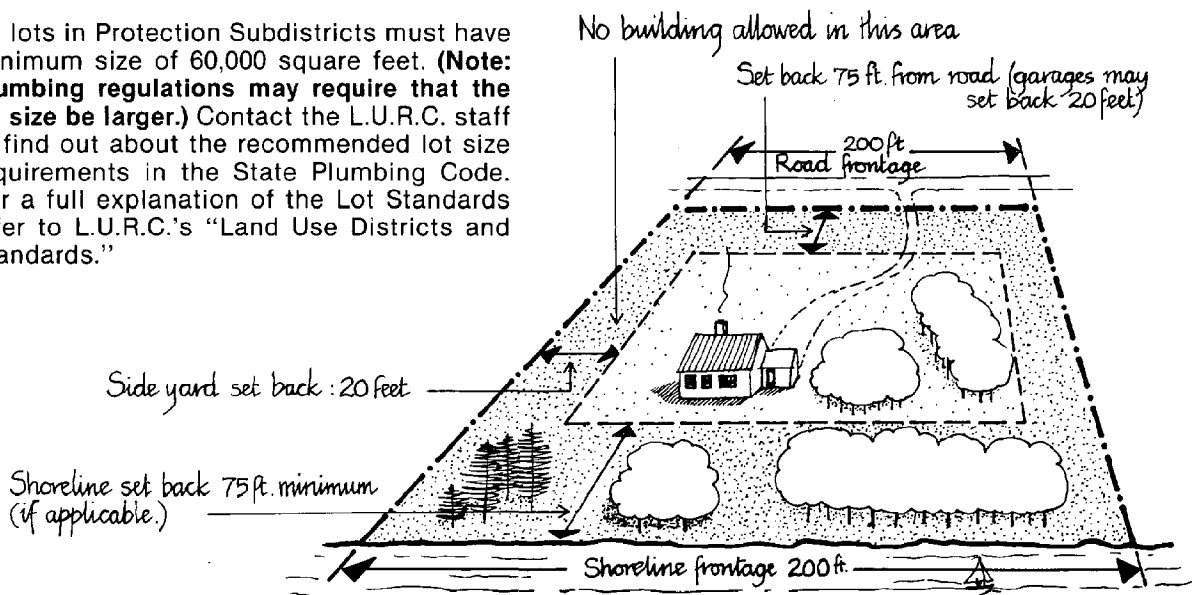
Lot Standards assure buildings are not built too closely together

The Lot Standards make sure that development in rural areas is not overcrowded, that structures on separate lots are not built too

closely to each other and that buildings on the shorefront are set back to minimize water pollution and retain scenic quality.

Lot Standards in Protection Subdistricts

All lots in Protection Subdistricts must have minimum size of 60,000 square feet. (**Note: Plumbing regulations may require that the lot size be larger.**) Contact the L.U.R.C. staff to find out about the recommended lot size requirements in the State Plumbing Code. For a full explanation of the Lot Standards refer to L.U.R.C.'s "Land Use Districts and Standards."



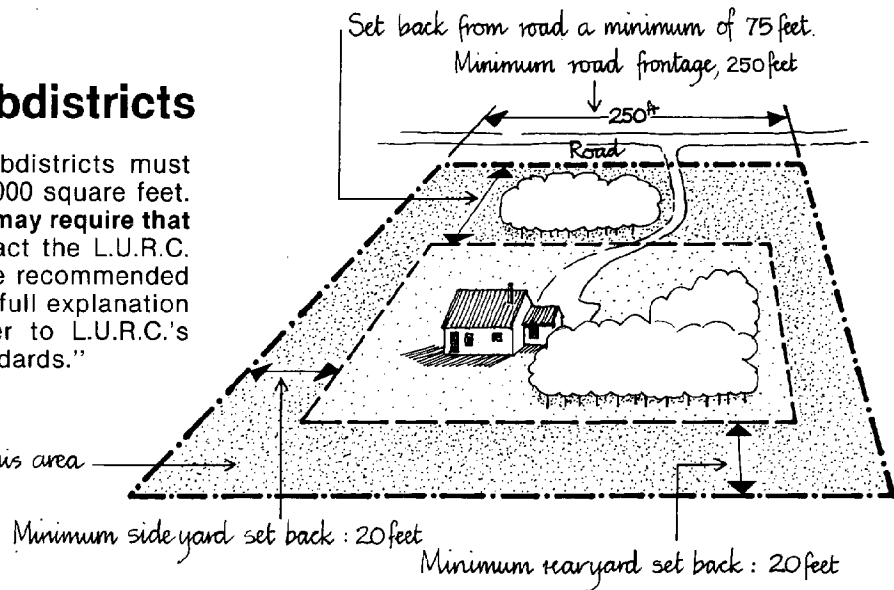
In Great Pond Protection Subdistricts this shoreline frontage dimension may be less, down to a minimum of 100 feet, if the

distance between your building and the water, added to the length of your shoreline frontage, adds up to at least 325 feet.

Lot Standards in Management Subdistricts

All lots in Management Subdistricts must have a minimum size of 60,000 square feet. **Note: Plumbing regulations may require that the lot size be larger.** Contact the L.U.R.C. Staff to find out about these recommended lot size requirements. For a full explanation of the Lots Standards refer to L.U.R.C.'s "Land Use Districts and Standards."

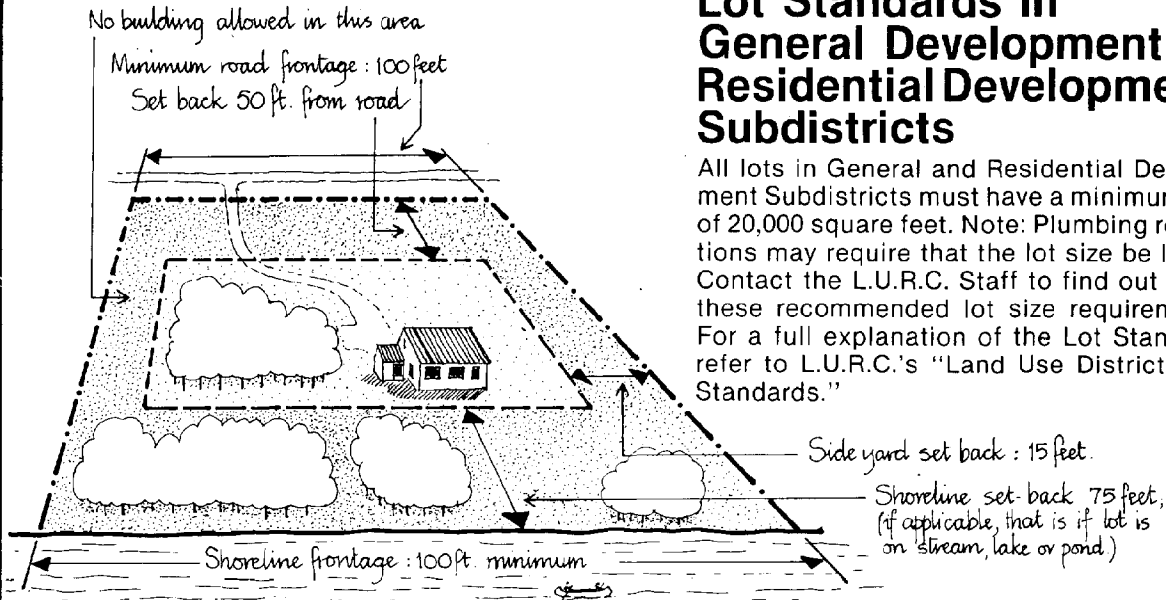
No building allowed in this area



Lot Standards in General Development and Residential Development Subdistricts

All lots in General and Residential Development Subdistricts must have a minimum size of 20,000 square feet. **Note: Plumbing regulations may require that the lot size be larger.** Contact the L.U.R.C. Staff to find out about these recommended lot size requirements. For a full explanation of the Lot Standards refer to L.U.R.C.'s "Land Use Districts and Standards."

No building allowed in this area
Minimum road frontage: 100 feet
Set back 50 ft. from road



Note: Refer to L.U.R.C.'s "Land Use Districts and Standards" for Lot Standards that apply in Commercial/Industrial Development Subdistricts.

Refer to Section 4 for more information.

Section 4 of The Land Use Handbook explains "How to Apply for a L.U.R.C. Building Permit." Section 4 will help you to understand Plumbing Code regulations.

Sign Standards

What kind of signs are subject to Standards?


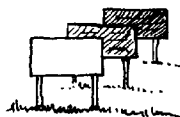


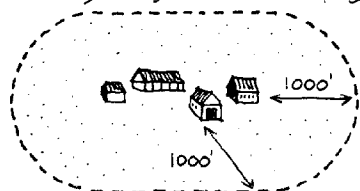

Most on-premise signs (signs located on the land where the building or point of interest advertised is located) are subject to Standards. If they don't meet L.U.R.C.'s Standards a permit is required. Some signs, as explained below, are exempt. Off-premise signs are subject to Maine's "Billboard" law, and, under that law, are generally prohibited.

Why Sign Standards?

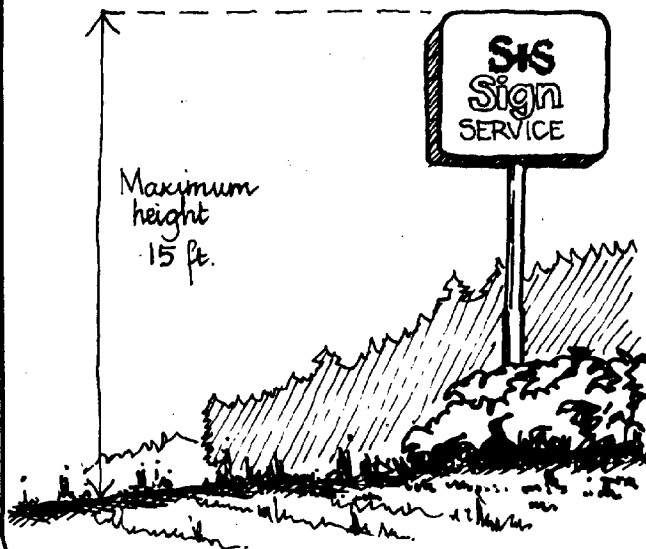
L.U.R.C.'s Standards are designed to make sure signs are not a traffic or safety hazard or so large that they spoil the scenic beauty of an area.

The Sign Standards

All on-premise signs, except roof signs and exempt signs (see over), are subject to the following Standards:

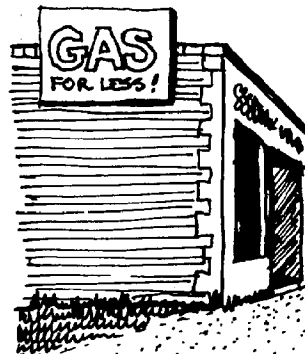
On-premise sign sizes	Maximum size of any one sign	Maximum area of all signs
In Commercial, Industrial, and General Development Subdistricts and in the General and Highly Productive Management Subdistricts.	 20sq. ft.	 60sq. ft.
In all other subdistricts	 6 sq. ft.	 12sq. ft.
All on-premise signs must be within 1,000 ft. of the facility they are advertising.		Real estate signs on single lots:
		 Maximum size of sign (or signs): 6 sq. ft.

Ground Signs (excluding wall, roof & projecting signs.)



Wall Signs

Wall signs are NOT to project above the top of a wall



NOTE :

All roof signs and signs that do not meet the above standards must be approved by L.U.R.C.'s permit procedure.

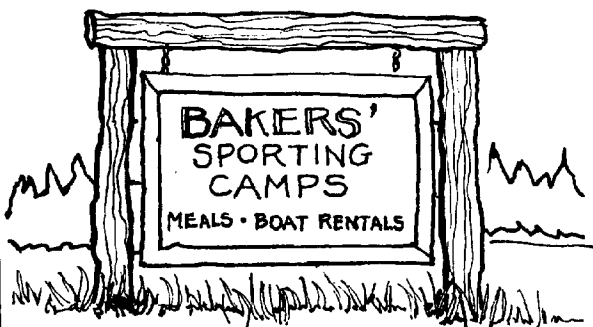
Signs that are exempt

Generally the following signs are exempt subject to certain limitations. See L.U.R.C.'s

"Land Use Districts and Standards" for full details.

- traffic signs
- lawn sale signs
- country fair signs
- residential signs
- window signs
- political signs
- public directional signs
- signs for church and civic groups

Other Sign Standards



Signs must not

- interfere with traffic
- imitate traffic signs
- have flashing or moving lights or parts
- be lit to cause glare or distract drivers
- violate other state or federal regulations
- be in poor state of repair
- be insecurely erected

More Information

1. The following publications are available from:

**Maine Land Use Regulation Commission
State House
Augusta, Maine 04333**

- a. A Preliminary Study of the Coastal Islands in the L.U.R.C. Jurisdiction, April 1976
- b. Revised Statutes Annotated Title 12 Chapter 206-A, Land Use Regulation
- c. Comprehensive Land Use Plan for the Plantations and Unorganized Townships of Maine, August 1976
- d. Land Use Districts and Standards for Plantations and Unorganized Townships of the State of Maine, January 1977

e. Maine Land Use Regulation Commission Rules and Regulations

1. Chapter III - Delegation of Authority to Staff
2. Chapter IV - Rules of Practice
3. Chapter V - Rules for the Conduct of Public Hearings
4. Chapter VI - Sewage Disposal Regulations for Dwellings
5. Chapter VIII - Variances

f. A Manual for Land Use Planning, January, 1976

General Land Use Planning Information

1. The following publications are available from:

**Maine State Planning Office
State House
Augusta, Maine 04333**

- a. The Landowner's Options - A Guide to the Voluntary Protection of Land in Maine, June 1977
- b. Caring for the Land, by Bruce Hendler, June 1977
- c. Maine's Coast: Special Considerations for the Municipal Planning Process, by Bruce Hendler, 1976
- d. The Land Book, prepared by the New Hampshire Office of Comprehensive Planning in conjunction with Hanslin Planning Associates, Inc., New London, New Hampshire
- e. Groundwater Handbook for the State of Maine. Prepared by the Maine Coastal Program, 1978.

2. All Land is not Created Equal: A Handbook for the Protection of Environmentally Sensitive Lands, by Mark Eyerman, 1976. Available for a fee of \$5 from:

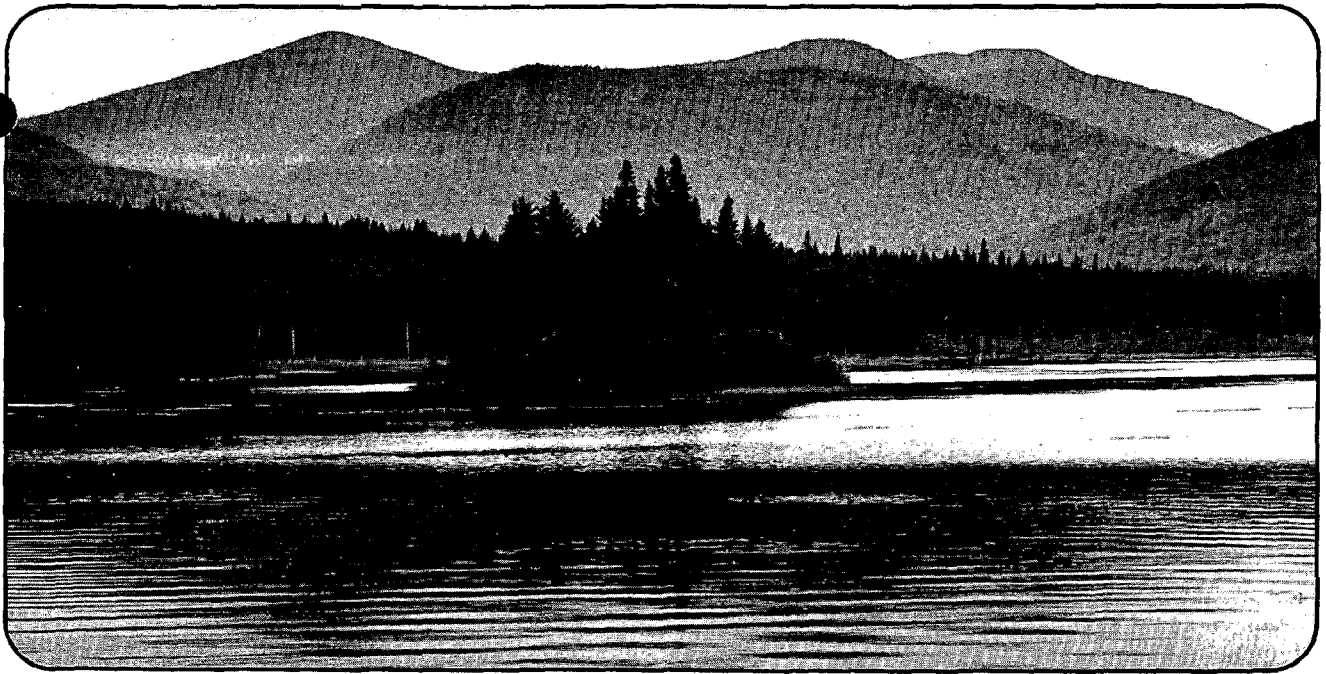
**Greater Portland Council of Governments
331 Veranda Street
Portland, Maine 04103**

3. Guiding Growth and Change: A handbook for the Massachusetts Citizen, by Sarah Peskin, 1976.

**Available from:
The Massachusetts Audubon Society
Lincoln, Mass. 01773**

This booklet is the third in a series of 6 booklets which make up "The Land Use Handbook." The titles of the other booklets are listed on the cover and are available from:

**Maine Land Use Regulation Commission
State House
Augusta, Maine 04333
Phone: (207) 289-2631**



Acknowledgements

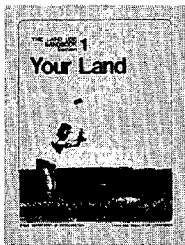
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Diagrams: Brian Kent
Book design: Brian Kent and Jane Frost
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We thank them all.

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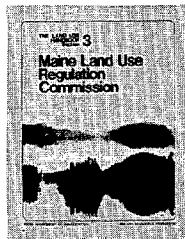
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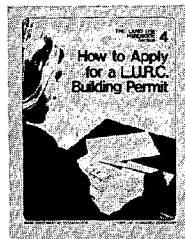
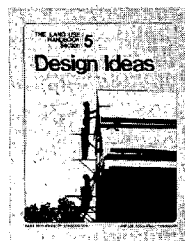
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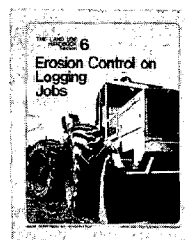
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5 Design Ideas



6 Erosion Control on Logging Jobs

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